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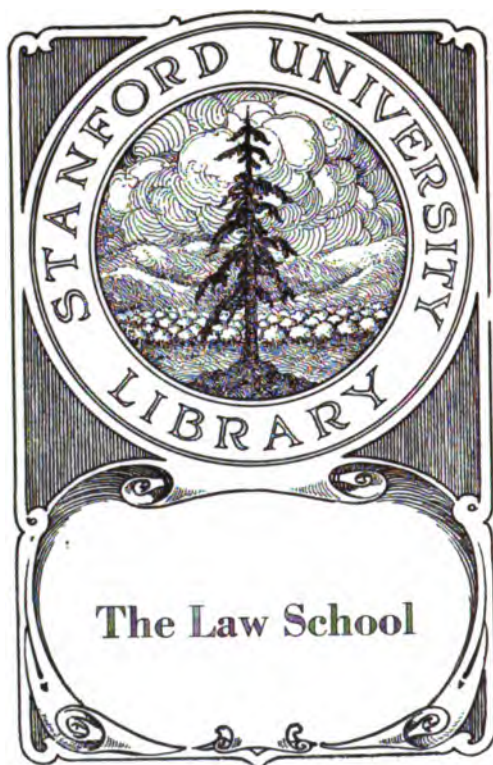
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RECORDS AND FILES
OF THE
QUARTERLY COURTS
OF
ESSEX COUNTY
MASSACHUSETTS

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VOLUME VIII

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RECORDS AND FILES OF THE QUARTERLY COURTS
OF ESSEX COUNTY, MASSACHUSETTS.

COURT HELD AT IPSWICH, SEPT. 28, 1680.

Judges: Major Genll. Denison, Capt. Nath. Saltonstall and Mr. William Browne.

Grand jury: Tristram Coffin, Ens. Tho. Burnam, Daniell Warner, Sergt. Tho. Waite, William Sawyer, John Tod, Richard Holmes, Henry Browne, Andrew Greley, Wm. Barnes, Samuell Howlet and Ralph Farnam.

Jury of trials: Capt. Jo. Whipple, Mr. Thomas Wade, Neh. Jewett, Thomas Low, Daniell Hovey, jr., Hugh March, Moses Gerrish, John Palmer, Samuell Platts, Jo. Haseltine, Daniell Poore and Cor. John Severns.

Anthony Wood v. John Grover and Sarah, his wife. Battery. Withdrawn.

John How v. Mr. Rich. Collicutt and Mr. Nathaniell Greenwood, executors and overseers of the will of Hester Seers. For refusing to deliver a feather bed. Special verdict. If two single testimonies and the plaintiff's affirmation of the woman's promise were as valid as the will, they found for plaintiff, the best bed and bedding; if not, for defendant. Court found for plaintiff. Appealed to the next Court of Assistants. Mr. Richard Colicott, Mr. Nath. Greenwood and Wm. Thompson bound.*

*Writ: John How v. Mr. Richard Colicut and Mr. Nathaniell Greenwood, executors and overseers of the will of Hester Seares, deceased; for not delivering a feather bed and bedding belonging to it, which was given plaintiff by Henry Mason, formerly husband to Hester Seares, now deceased, who promised to deliver it; dated 18:7:1680; signed by John Redington,† for the court and town of Topsfield; and served by Joseph Webb,† marshal of Boston. Bond of Richard Collecott† and Nathl. Greenwood.†

John How's bill of cost, 2li. 12s.

† Autograph.

Sarah Gould, aged about thirty-nine years, deposed that, being at Boston with Goodman How about four years since, she lodged at his kinsman, Hanery Mason's. She slept with Mason's wife and Goodman How with Hanery Mason, and she heard How ask Mason to give him the feather bed he lay in that night. Mason spoke so low that she could not hear him plainly, but she understood that he consented. Three months after, they went to Boston again but Mason had been dead six weeks. The widow brought her husband's will to How to read and she said that her husband had told her to give him the feather bed although it was not in the will, which she promised to do. Mason's wife was John How's own cousin. Sworn in court.

Thomas Touer, aged about fifty years, testified that he was asked by John How to go to Seers' wife to find out when he should send for the bed. Deponent brought her from Boston once and she voluntarily told him that How was to have the bed, etc. Sworn in court.

John Gould and Thomas Touer deposed that the executors refused to deliver the bed. Sworn in court.

Inventory of the estate of Henry Mason, taken by Richard Collacot and Daniel Turell: Two suites and a cloake, 5li.; four shifts & 2 pr. of Stockins & a Silke Neckcloth, 18s.; four paire of Sheets & a blanket, 1li. 15s.; Ten Napkins & four pillowbeers, 14s.; one Table & four Chests, 1li. 14s.; Three Bedsteeds, 1li. 5s.; one Bed with the Furniture, 8li.; one Trundle Bed, 10s.; one cupboard & a small table & Four chairs, 1li. 2s.; parcel of pewter, 2li. 10s.; two kettles and two Skellets, 2li. 5s.; for a pot & Iron ware, 1li. 5s.; warming pan & other necessaries, 1li. 5s.; one house & Land, 120li.; total, 148li. 3s. Sworn by Hester Mason, Nov. 17, 1676, before Jno. Leverett, Esq., Gov., and Edw. Tyng, Esq., Assis't. Copy made by Isa. Addington,* cleric.

Will of Henry (his mark) Mason of Boston, dated 6 : 8 : 1676, and proved, Nov. 17, 1676, before John Leverett, Esq., Gov., and Edward Tyng, Esq., Assistant: to his cousin Mercy Elliott, daughter of Joseph Elliott, 10li., to be paid for the benefit of the child within six months after his wife's decease; if his wife died before the child became of age to choose a guardian, the executors were to see it carried out; to his wife Hester Mason, his house, land and all moveable estate; his wife to be executrix and Daniell Turell, sr., and Thomas Bill, overseers. Wit: John Wiswall and Richard Collacot. Copy made by Isa. Addington,* cleric.

Will of Hester Sears of Wobourne, dated Mar. 2, 1679-80, and proved, Sept. 2, 1680, before Peter Bulkeley, Esq., and Tho. Savage, Esq., Assistants: The rent of her house and

* Autograph.

Robert Knight v. Samuell Leach and Onisiphorus Allen. Review of a case tried at the Salem court in November last. Verdict for defendant. Appealed to the next Court of Assistants. Robert Knight bound, with Edward Richards and Wm. Beale, as sureties.*

land lying between James Englishes house and the widow Judkins' house, both in Boston, to be for the bringing up of Joseph Ellit, son of Joseph and Mercy Ellit, until he be fourteen years of age, he to have them at the age of twenty-one, paying 20li. as follows, 5li. to her sister Deborah Skelton's children, 5li. to her brother Isaac How's children, 50s. to her brother Abraham How's son Abraham's children, 5li. to her cousin Mary Grandee's children, 50s. to her brother Israel How's children, all in money within two years; should Joseph Ellitt, jr., die before he was twenty-one, the house and land was to be sold and the proceeds divided as follows, one-quarter equally to Sarah Parker and Hester Parker, sisters, and if they died to Mary Grandee and her children, and the three-quarters equally among the children of Deborah Skelton, Isaac How, Mary Grandee, Israel How and Abraham How; to Sarah Parker and Hester and Mary Grandee and Deborah Skelton, her clothing; to her brother Isaac How, her second best bed, boulder and green rug; to her husband, her best bed and curtains for life, and after his decease to Joseph Ellit, jr.; all her other household stuff to be divided among her sister Deborah Skelton, her brother Israel How, Mary Grandee, Elizabeth Parker and Abraham Parker; the rent of her meadow and upland at Dorchester, that her father How gave her, to her husband John Seirs for life, and upon his death, she gave the land outright equally to her brothers Isaac and Israel How, they to pay to Mr. Increase Mather, teacher of the 2d church in Boston, 4li., to Deborah Skelton or her children if she deceased, 40s., to her sister Curtice's two children, 20s. each, to Joseph Ellit, 40s., all to be paid within one year after her husband's decease; Mr. Richard Collicot and Mr. Nathaniel Greenwood, executors and overseers, also to care for the child, Joseph Ellit, jr., until fourteen years of age, and to apprentice him to a trade; the overseers were to sell any of the estate if it became necessary for the support of the child. Wit: Abigail (her mark) Read and Mary Greenwood. Sworn, Sept. 2, 1680, before Peter Bulkeley, Esq., and Tho. Savage, Esq., assistants. Copy made by Isa. Addington,† cleric.

*Writ, dated 23 : 7 : 1680, signed by Hilliard Veren,† for the court and town of Salem, and served by Henry Skerry,

† Autograph.

jr.,* deputy for Henry Skerry,* marshal of Salem, by attachment of houses and lands of defendants.

Summons, dated 23 : 7 : 1680, for the appearance of Samuel Leach, signed by Hilliard Veren,* for the court and town of Salem.

Defendants' bill of cost, 2li. 19s. 1d.

Robert Knight's bill of cost, 4li. 5s. 4d.

Copy of papers in similar actions brought in 1660 and 1679.

At a General Court, May 7, 1662, on motion of Mr. Richard Russell, referring to settling the bounds between Manchester and Glocester, it was ordered that in case the gentlemen nominated in the order of Court refuse or neglect to attend to it within two months, the towns concerned could take a surveyor to determine the bounds. Copy made by Edw. Rawson,* secretary.

Letter addressed "To my Loueing friends John Bennett, Goodman Standidg wth y^e Inhabitants of Manchester:"

"Friends: it is some Trowble to mee yt yow doe pseueare soe to Interrupt my Just right had I not a Just and cleere title. I should haue bin farr enough of from makeing y^e least clayme wth Tendencye to your rong whose welfare is more Joyous to mee then your Impouerishing. I am not in the least priuie to Insuringe yow yow know I haue byn silent expecting the Issue of those friends to whome It was Committed the pcuringe cawse being on your accompt. I could not haue thought would turne to soe barren an accompt. Robert Knight who acts therin bought it of mee when I neuer hard the least opposition as to M^rBlinmans title Conuayed to mee whom I am Confident would not haue yow Ingage any farther expence. But seeke the favour of the Court to supply yow some other waye If your need require it: for suer I am what is not yours though it bee neuer soe comodious to yow will not turne to your advantage to desire or enjoy. Robt Knight assuringe mee yt If it exceed ye 4 mile bownds graunted to Gloster hee will resigne it upp: wch though out of my hands to doe yet renders his motions very Just as to my Conscience. I am willing to cleare my selfe yt If yow bee put to charge as hee is resolued psecution In the Case: I may bee in your Consciences Innocent And shall ad no more but yt I am Yours In loue

"22 : 5 : 1661.

Richard Russell.*"

Samll. Gatsshell* certified that about seven years ago he ran a right line from Gloster meeting house toward Manchester and he found that Citle Cove farm was within four miles of Gloster meeting house. Also that the four-mile line that was run by Capt. Joseph Gardner lacked very nearly six

* Autograph.

furlongs, as appears by his draft of the farm which he surveyed in 1680. Gardner was short of four miles as much as from the tree marked with G to the pond marked with A on his plan. Sworn, Sept. 13, 1680, before Moses Mavericke,* commissioner.

Samuell Gatchell* testified that he talked with Capt. Joseph Gardner some years since when he was with him in Virginia. Gardner said he had run a four mile line from Gloster meeting house toward the Creeke for the people of the Creeke, but Robert Knight's farm was not in it. Deponent ran the line for Gloster men, who went with him, and later told Gardner that his line was wrong, and Gardner replied that if twenty men ran it, they would differ.

William Sheldon and William Beale testified concerning the refusal of old Goodman Bennit and other selectmen of Manchester, to go with them to measure the bounds. Then they went to Gloster, where they stayed three or four days on account of bad weather, and Gloster men helped them. They found the line took in about two-thirds of the little pond and the western neck. Sworn, Sept. 27, 1680, before Moses Mavericke,* commissioner.

William Beale, aged upward of fifty years, deposed that he heard Samuell Leach say in a bragging way that he would keep the title of Kittle Cove farm in litigation twenty or forty years and he thought he could find as much money to spend as Mr. Russell, etc.

Benjamin Parminter, aged upward of sixty years, deposed that, when Mr. Millet lived at Manchester, he was an inhabitant there and at a town meeting it was agreed that Mr. John Freinde, sr., now deceased, and William Bennit, then both inhabitants in Manchester, should meet with Mr. Bruin and Mr. Cockin of Gloster. They found the bounds at the little pond. Sworn, Sept. 13, 1680, before Moses Mavericke,* commissioner.

Benjamin Parmeter, aged nearly seventy years, deposed that he heard Mr. Smith, minister at Manchester, say that Mr. Blindman, the minister at Gloster, had given him leave to cut hay on his farm at Kettle Cove. Sworn, Sept. 25, 1680, before Moses Mavericke,* commissioner.

Phillip Welch, aged about thirty-seven years, deposed that Corporal Whipple of Ipswich, Robert Knight, John Ellitrop, and himself were together when Ellitrop said he knew Knight was wronged. Deponent asked him why he became attorney against Knight and Ellitrop answered that he was enticed to do so along with the rest. Sworn, Sept. 13, 1680, before Moses Mavericke,* commissioner.

Henry Stacy, aged upward of sixty years, deposed con-

* Autograph.

Erasmus James v. John Hasskin. Debt. Verdict for plaintiff.

Samuell Currier v. Joshua Boynton. Breach of covenant. Withdrawn.

Thomas West, in behalf of his son, Samuell West v. Anthony Wood. For striking up the heels and violently striking said Samuel down. Verdict for plaintiff.*

William Dodge and Mary, his wife, relict and administratrix of John Balch, deceased v. Benjamin Balch, sr. Review of a case ordered in a County court at Ipswich Mar. 31, 1663. Verdict for plaintiff, the settlement of the estate according to the Court's judgment at Salem, 27 : 4 : 1662. Benjamin Balch appealed to the next Court of Assistants at Boston. Benjamin Balch, Samuell Gardner and John Balch bound.†

cerning mowing with Charles Knight, etc. Sworn, Sept. 24, 1680, before Moses Mavericke,‡ commissioner.

William Sheldon and William Beale, aged upward of fifty years, testified. Sworn, Sept. 25, 1680, before Moses Mavericke,‡ commissioner.

John and Robert Knighte, both aged upward of eighteen years, deposed. Sworn, Sept. 25, 1680, before Moses Mavericke,‡ commissioner.

*John Bennet, aged about thirty-five years, deposed that a little while after his apprentice, Samuell West, came to live with him he complained of a pain in his head and said it came from a blow he received about a year before. "In the time of the war Thomas West was at my house and desired me that I would let Samuell West his sonne to keep a little out of the way in the time of the press but said he if he should be prest I do not fear but that I shall get him freed because he had hurt himselfe by a fall." Sworn in court.

†Writ, dated Sept. 9, 1680, signed by Andr. Eliott,‡ for the court and town of Beverley, and served by Henery Her-
rick,‡ constable of Beverly, by attachment of house and land of defendant.

William Dodge's bill of cost, 2li. 13s. 6d.

Benjamin Balch's bill of cost, 8s.

Mary Wood, aged about thirty-seven years, deposed that Mary Balch told her that her father Conant had gone to Ipswich court against her will, etc. Mary Dodg deposed that when her brother, Benjamin Balch, sued for her deceased child's portion, etc. Sworn before William Browne,‡ assistant.

‡ Autograph.

Michael Farley v. John Caldwell. Debt. Verdict for plaintiff, in money and corn.*

John Tod v. Mr. Hudson Leveret. Nonsuited.

Mr. John Keetch v. Henry Hutson. Nonsuited.†

Samuell Stickney v. Henry Kimball, administrator of the estate of Tho. Dow of Haverill. Debt. Verdict for plaintiff.‡

William Dodg, sr., aged about seventy-six years, and John Rayment, sr., aged about sixty years, deposed that sixty acres were given John Balch, deceased, by his father's will, which were worth 40s. per acre, and if they had been willing to sell their land they could have received more than 40s. Sworn in court.

William Rayment, aged about forty-two years, testified that he offered Benjamin Balch 3li. per acre in wheat and pork, but he refused it. Sworn in court.

*Writ: Mr. Michael Farley v. John Caldwell, sr.; debt; dated Sept. 17, 1680; signed by Robert Lord,§ for the court and town of Ipswich, and served by Josiah Clark,§ deputy for Robert Lord,§ marshal of Ipswich, by attachment of a bullock branded with I C upon the off horn, and a piece of pasture land of defendant.

Phillip Fowler and Robert Lord, marshal, deposed that Caldwell owned the debt. Sworn in court.

Goodman Caldwell, Dr., to Michael Farley,§ for corn and fulling cloth: Apr. 2, 1677, for fulling 31 yards of cloth, 5s. 2d.; Apr. 20, 1679, fulling 46 yards of cloth, 7s. 8d.; Sept. 12, 1677, two bushels of corn lent to him, 6s.; total, 18s. 10d. Goodman Caldwell, Dr., in money, for corn sold to him: Apr. 20 to Sept. 6, 1679, for corn, rye, Indian and wheat, 3li. 5s. 9d. Sworn in court.

†John Hallam,§ aged about eighteen years, deposed that he saw the marshal's man, called Davie Gibbens, have a warrant from the Governor of St. Xtopher's to accept the sugar due to Mr. Keatch from Mr. Huttson, because Keatch owed the Governor some money. Johannis vangrijekoven,§ aged thirty-eight years, deposed that he was a witness to the foregoing statement. Sworn at Boston, 25 : 7 : 1680, before Tho. Brattle.§

‡Writ: Samuel Stickney of Bradford and Faith Gage, executor of the estate of Samuel Gage, deceased v. Henry Kimble of Haveril, administrator of the estate of Thomas Dow of Haveril, deceased; debt; dated Sept. 17, 1680; signed by Thomas Leaver,§ clerk of the writs for the town of Rowley; and served by Robert Emerson,§ constable of Haverhill,

§ Autograph.

Walter Fairefield v. Tho. Knowlton. Appeal from a judgment of the Honerd. Major Genrll. on July 15, 1680. Verdict for defendant, the confirmation of the former judgment. Appealed to the next Court of Assistants. Walter Fairefield, William Dodg and Wm. Tompson bound.*

by attachment of land of defendant lying between his house and land of Samuel Wat's.

Copy of record of the Salisbury courts, Nov. 14, 1676, and Apr. 9, 1678, relating to the estate of Thomas Dow. Copy made by Tho. Bradbury,† recorder.

Samuell Stickney's bill of cost, 2li. 6d.

Letter of attorney, dated Sept. 24, 1680, given by Samuel Stickney‡ of Bradford and Faith Gage† to Daniel Wycome of Rowley. Acknowledged, Sept. 27, 1680, before Nath. Saltonstall,† assistant.

*Writ: Thomas Knolton v. Walter Fairefeild; for taking away a saddle of his out of the custody of Richard Hutton and not returning it; dated July 8, 1680; signed by Daniel Denison;† and served by Samll. Moulton, constable of Wenham, who returned that Fairefeild, who was constable when he impressed Thomas Knolton's saddle for the country's service, tendered him 11s. 6d. in Indian corn for the use of Knolton, but he had no order to receive it. Copy made by Daniel Denison.†

Thomas Knoulton's bill of cost, 12s. 9d.

Walter Fayerfield's bill of cost, 1li. 6s. 6d.

Copy of the record of the action, heard July 15, 1680, before Daniel Denison,† who gave judgment for plaintiff. Appealed to the next Court of Assistants. Walter Fairefeild bound, with Charles Gott and Samll. Fiske, as sureties. Copy made by Daniel Denison.†

On Jan. 1, 1676, John Fiske was chosen constable for Wenham, and on 16 : 4 : 1676, delivered to Constable Fairefeild 10 single rates for the war, the whole being 51li. 10s. Copy from the town book by Thomas Fiske, recorder. Copy made by Daniel Denison.†

Fairefeild's and Knolton's bills of cost before Daniel Denison.†

Walter Fayerfield's† reasons of appeal, received on Sept. 23, 1680, by Daniel Denison.†

Thomas Burnam, jr., aged about thirty-five years, deposed that he knew Knolton's saddle very well and it was a good strong saddle before it was carried to Wenham. It was worth 20s. and he would willingly give more than 12s. for such a

† Autograph.

‡ Autograph and seal.

one. Richard Hutton deposed. Sworn Sept. 15, 1680, before Daniel Denison.*

Richard Hutton, jr., aged nineteen years, deposed that he saw Fairefeild go home from his father's house. Sworn, July 15, 1680, before Daniel Denison.*

Thomas Knoulton's* answer, dated Sept. 28, 1680, to Wallter Fairfield's reasons of appeal.

Charles Gott, aged forty-one years, deposed that at Quartermaster Perkins', at the Ipswich court in March, 1679, there were Thomas Knolton, Walter Fairefeild, Richard Hutton and himself, and he heard Knolton demand of Fairefeild 12s. in silver for the saddle which he impressed, etc. The trouble arose not so much over the amount to be paid, as the pay, because Fairefeild refused to pay in money. Sworn, July 15, 1680, before Daniel Denison.*

Thomas Fiske, aged forty-nine years, deposed that, in the beginning of the summer of 1676, he received from the Major Generall an order for the impressment of one man with a horse and furnishings for the country service. The constable impressed a saddle at Richard Hutton's, said to be Thomas Knolton's, but, when the soldier came home, he gave an account that the horse and saddle were taken from him by his Captain, whereupon they made Knolton creditor upon their bill of disbursements of 11s. 6d. They received no order from the treasurer to pay the disbursements until Nov., 1677, when there was not enough money left by about 6li., and it was left for the next constable to pay in rate pay and not money. Sworn, July 15, 1680, before Daniel Denison.*

Edward Neland, aged thirty-five years, and Richard Hutton testified that he was at Quartermaster Perkins' house. Sworn, July 15, 1680, before Daniel Denison.*

William Knolton, aged about thirty-five years, deposed that he went with his brother Thomas, etc. Sworn, July 15, 1680, before Daniel Denison.*

Robert Lord, marshal, aged about forty-eight years, and Willm. Bennet, aged about twenty-one years, deposed that he was occasionally in company with Walter Fairefeild, Thomas Knolton, Goodman Hutton and Willm. Bennet. Fairefeild said to Knolton, "thou foole, the saddle was prized but at twelue shillings." etc. Sworn, July 15, 1680, before Daniel Denison.*

Charls Gott, aged forty-one years, and Samuel Fiske, aged about thirty-three years, deposed that ten days ago he was at Thomas Knolton's house, etc. Sworn, July 15, 1680, before Daniel Denison.*

* Autograph.

Josiah Witter v. John Richards. Trespass. Verdict for plaintiff. Appealed to the next Court of Assistants. John Richards bound, with William Beale, Edward Richards and Robert Knight, as sureties*.

Rebecka Howlett v. William Howlett. Verdict for defendant.†

*John Richards'† reasons of appeal: that he had held the land for above forty years, as by evidence of Henry Collins, sr., and Henry Collins, jr., and had a legal title; that Witter, under pretence of a recorded grant by the town of twenty acres of land, dated Mar. 13, 1676, lays claim to this parcel which the town had no right to dispose of; that he had his twenty acres and more unless he had conveyed it to another, and "therefore cannot but Judge him Insatiable that he cannot be contented to run loose in his own pasture but he must break over fences and feed down mine also;" that Witter's conscience in former years would not allow him to claim it, although he had an "Itching desire after It," as appeared by the testimony of Henry Collins and John Lewise, who affirmed that Witter would have borrowed a yoke of oxen of said Lewise to purchase the land now in controversy which he then acknowledged to be Thomas Joyes; that Thomas Wheeler, father-in-law of Witter, etc.; that Capt. Marshall testified that Witter never sold any land within the fence, which Richards owns to be true, "for he sold not all of Mulliners right to Oliver purchase, for he reserved some part to himself within fence which after ward he sold to Edward Richards, as appears by a deed from Thomas Joy to Capt. Marshall which bears date May 30, 1661, which deed is now made over to Edward Richards"; that Edward Kibby gave a different testimony two years before, etc.

Thomas Wheeler, aged about seventy-six years, deposed that about eighteen years ago he was at Josiah Witter's house in Linn, etc. Sworn, Sept. 15, 1680, at Stonington, before Samuel Mason,‡ commissioner.

Josiah Witter's bill of cost, a journey from Stoning towne, 106 miles, to take out the attachment, 10s., one witness from Muddy river, 5 days to go to Stoningtowne, 10s., etc., 4li. 1s. 6d.

†Thomas Dorman deposed that he heard Ensign Houlat say that he had borrowed money of his wife, who, he said, had sold some of her geese and turkeys for money. Deponent told him that his wife's geese and turkeys were his wife's when he pleased. Houlat replied, "no, I medle not with

‡ Autograph.

John Lee v. Mr. Francis Wainwright, in his own name, and as assignee of Steephen Crose. Verdict for defendant.*

John Lee v. Robert Crose, jr. Verdict for plaintiff, 2,418 feet of merchantable pine boards, to be delivered at Boston, at 9s. per M and freight.†

the geese nor turke's for thay are hurs for she hath bene and is a good wife to me." Sworn in court.

Isack Comins, jr., and Samuell Kingsbury deposed that they, living with Daken Thomas Houlet and having a considerable part of honey, gave the combs to Daken Howlet's wife for her own use, "that is to say his last wife." Sworn in court.

*Writ: John Lee, in his own right and as assignee of Steven Cross v. Mr. Francis Wainwright, merchant; for refusing to pay for a voyage to Exeter to William Hilton and Samuell Hilton by Lee and Cross with their sloop, for the purpose of getting boards, but did not get them and returned dead freighted; dated Sept. 22, 1680; signed by Robert Lord,† for the court and town of Ipswich; and served by Robert Lord,† marshal, by attachment of salt.

†Writ: John Lee v. Robert Cross, jr.; for not delivering 3,160 feet of pine boards which he was to receive at Lamperell river and deliver at Boston; dated Sept. 6, 1680; signed by Robert Lord,† for the court and town of Ipswich; and served by Robert Lord,† marshal of Ipswich, by attachment of defendant's part of the ketch called the Sparrow.

Jno. Lee's bill of cost, 1li. 10s.

Jno. Wedgwood, aged about thirty-nine years, deposed that he carted the boards to the landing place at Lamperell river for Mr. William Hilton, who paid them to John Lee for a debt he owed him. He delivered them to Robert Cross to carry to Boston and Lee was there at the time. William Hilton and John Wedgwood deposed the same. Sworn, Sept. 22, 1679, before John Gillman,† commissioner.

Robert Cross, Dr., for what Jno. Lee† disbursed for him, he agreeing to pay him when he came to Boston: Lent him on July 7, 1679 at Henery Crounes, 2s. by a chair as money, 2s.; June 16, 1679, paid for him at Nickoles Noreses by a chair as money, 3s.; Robert Cross received of me in Boston 300 of Red Oak hogshead staves, 9s.; total, 14s.; debtor for 6 weeks service in the voyage from Ipswich to Piscataqua & to Boston & Ipswich. Robert Cross, Cr., paid to me in Boston, 16s. in silver; freight of 1 barell of rum from Boston to Ipswich, 1s. 3d.; freight of 2 emty cask, 1s.; freight of 125 fotts of boards from Piscataqua to ye IIs of Shouls, 9d.;

† Autograph.

Mr. Nicholas Shapley or his attorney v. Samuell Seward. For not paying 8li. Verdict for plaintiff, forfeiture of the bond.

George Carr acknowledged judgment to Samuell Clough.

Cornet Severns having entered a complaint against Benjamin Greley and Sam. Eaton, for lurking about his house in the night time last winter, enticing his man and maid out of his house in the night to Tho. Eaton's house in Salsbury, which they confessed, they were fined.*

Philip Greeley appealing to this court from a judgment granted by Mr. Wm. Browne, Esq., did not prosecute.

Sarah Lambert complaining against John Hunkins, as the father of her child, he was bound to pay 2s. 6d. in corn

freight of 500 of boards to Boston, 5s.; freight of 300 of staves. was discounted at ye price sould; debtor for ye freight of 200 of white oak staves, 2s.; total, 1li. 6s.

June, 1679, John Lee reseue of Roberte Crosse at Boston, 1s.; lent at Boston, 2s. 6d.; 2 1-2 hundred of boards, 10s.; John Lee, for freight, 16s. 6d.; more money, John Lee of Robert Crosse, 5s. 6d.; money lent at Boston, 5s. 6d.; more, 5s. 6d.; freight home from Boston, June, 1679, one hoghead, 1s. 6d.; won emte barel, 8d.; barel of rume, 1s. 3d.; total, 1li. 19s. 5d. Sworn by Roberte Crosset in court.

Phillip Foulert† showed John Lee the account which Roberd Crose presented to the court and he owned it, provided Crose would give him half the profit he obtained by buying and selling that rum he bought of Mister Wintrop. Sworn in court.

Jno. Lee's† account of what boards Robert Cross received at Lamperell river to carry to Boston for him: Shiped on board by William Hilton, 1192 feet, received July 3, 1679; shipped by Mr. Robert Wadlay on July 5, 1679, 2,660 feet of boards; total, 3,852. Robert Crosse delivered for Lee to Joseph Evely, at Lamperell river, 100 feet; to Mary Waimouth at the IIs of Shoules, 125 feet; delivered at Boston, 500 feet; total, 725 feet.

*Warrant, dated July 7, 1680, to the constable of Salisbury, for the appearance of Samuell Eaton, upon complaint of Cornet John Severns, for hovering about his house, peeping in at the window, etc., also to Elizabeth Clifford, as a witness, signed by Robert Lord,† cleric.

Writ, dated July, 1680, signed by Robert Lord,† cleric, and served by Robert Emerson,† constable of Haverhill.

† Autograph.

per week to Goodwife Pod, for the keeping of the child. John Hunkins and Joseph Lee bound.*

Jacob Manning, being complained of for striking John Williams of Salem, when he was the marshal's deputy, and in execution of his office toward Nicholas Manning, was fined.†

*Examination and confession of Sarah Lambert: that about the beginning of January last about a fortnight before the Thanksgiving she was going home in the evening about eight o'clock on a moonlight night. In Mr. Nath. Rogers' pasture she met John Hunkins coming toward the town, etc. Sworn, July 8, 1680, before Daniel Denison.†

John Hunken wholly denied it, July 8, 1680, before Daniel Denison, and had his case continued until the next Ipswich court. John Hunkins was bound, with Joseph Lee, James Fuller, John Lee and Joseph Fuller, as sureties.

Warrant, dated July 8, 1680, for the appearance of John Hunkins, signed by Daniel Denison,† for the court. Nath. Rust,† constable of Ipswich, appointed Thomas Knolton, jr., his deputy to serve this warrant. No return made.

Mistress Sarah Rogers, Dorkas Love and Hana Browne deposed that they were with Sarah Lambert when the child was born, etc.

†Writ: Lot Gording v. Nicholas Manning; debt, for bond, by which Manning was to pay to Henry Lane of Dartmouth, England; dated Aug. 17, 1680; signed by Nat. Barnes,† for the court and town of Boston. Henry Skerry,† marshal of Salem, appointed John Williams and James Poulard, his deputies, and no return made.

Tho. Ives deposed that he saw Manning strike Williams. Sworn before Bartho. Gedney,† assistant.

John Best and Samuell Wackfelld testified that, going with John Williams toward Mr. Barto. Gedny's, they heard Lieut. Jeremiath Nelle ask which struck first, and Williams said that he did, etc. Sworn, before William Browne,† assistant.

James Poland, aged about forty-eight years, deposed that he saw the striking which was on Aug. 23, 1680, etc. Sworn, 29 : 7 : 1680, before Edm. Batter,† commissioner in Salem.

John Williams, aged about forty years, and Joseph Gatchell, aged about twenty-eight years, testified that Manning was in Sam. Bedle's door when the attachment was mentioned and he went into the house, Jacob Manning shutting the door upon deponents. Sworn, 29 : 7 : 1680, before Ed. Batter,† commissioner.

John Williams deposed that he arrested Nicklos Maning in the King's name and then his brother, Jacob Maning, fell

† Autograph.

Thomas Rogers was licensed to make sturgeon, provided he present the court with a jowl of good sturgeon every Michell-mas court.

Benjamin Rolfe was released from ordinary training, paying 4s. a year to the use of the company.*

Mary Grant was admonished upon her presentment.†

Mr. Simon Willard took the freeman's oath.

John Coming was fined upon his presentment.‡

The county is indebted 108li. 17s. 6d. and the treasurer was ordered to issue warrants to the several towns for half a single country rate for a county rate.

Administration upon the estate of Mr. Nathaniell Rogers, deceased, was granted to Mr. John Rogers and an inventory was presented. Court settled the estate according to the evidence of Walter Roper and Mr. Samuell Belcher, upon Mr. John Rogers and his son.

Ordered that henceforth no officer belonging to the courts nor any other debts due from the court or county shall be paid in money or in the best pay, until the debt due to the ordinaries for the entertainment of the court be discharged.

upon deponent, the prisoner running into Nathanel Beadle's house. Sworn, Aug. 23, 1680, before Bartho. Gedney,§ assistant.

John Williams§ deposed that he was made deputy by his father, Marshal Skerry, etc. Jacob Manning gave him several blows with his cane, and Nicholas Manning drew his dirk upon him.

*Benjemen Rof's petition, dated 30 : 7 : 1680, to be relieved from training, he being about forty-two years old, and weakened by lameness so that he was unable to travel much, signed by Daniell Peirc.§

†Rowley presentment, for striking Elizabeth Mihill and upbraiding her for her deformity of body and other provoking words.

Frances Pallmar and Sarah Pallmar deposed that they heard her call Eliazbeth a crooked-back slut and a thief, and gave her a box on the ear.

‡Warrant, dated Sept. 16, 1680, for the appearance of John How and Jacob Towne, as witnesses in John Comings' presentment, signed by Robert Lord,§ cleric. No return made.

§ Autograph.

Ordered that henceforth the yearly allowance to the marshal of Salem and marshal of Ipswich be equal, 3li. each.

John Ring and Martha Lampson, both of Salsbury, bound over to this court for fornication, court ordered that they be severely whipped or pay a fine. If said John should, within six hours or before noon on this Sept. 29, 1680, marry said Martha, their fines were to be reduced. If he refused, he was to be bound for the maintenance of the child.*

Ensign John Gould was bound for the appearance of his Indian when the court called for him.

John Ring, with Robert Ring and Nathaniell Grifing as sureties, was bound for the payment for the maintenance of the child of Martha Lampson.

William Nellson, for rape upon Mehittabell Anis, was ordered to be severely whipped.†

Court in March last having upon petition of Shuball Walker granted him a reversal of a division of estate of land between Hannah and Patience Jewett, and then appointed the same committee to review their act and newly lay out and state the bounds, making return to the adjournment in May last, which they did, court now upon objection made against their return by the Gages, granted a hearing, and having heard the pleas and being sensible of the indiscretion of the committee, owned by themselves in their first act by being overpersuaded by John Gage, see no cause to alter their decision of last May, and so approve and confirm it.‡

*Wit: Goodwife Osgood, the midwife, and Sarah Rowill.

†William Nelson was complained of by Abraham Martyne, on July 9, 1680, for rape upon his kinswoman, Mehitabel Avis, under ten years old, which appeared by testimony of John Carpenter, the girl's and his own confession, and the testimony of Michael Brigden, and he was committed to prison on July 16, 1680, by Daniel Denison.§ He was bound with John Andrewes, sr., William Butler, William Durgey and Thomas Marshal, as sureties.

Warrant, dated June 8, 1680, signed by Daniel Denison.§ Nath. Rust,§ constable of Ipswich, appointed Thomas Knolton, his deputy.

‡Petition, dated May 3, 1680, of Daniell Gage,§ Nath. Gage§ and Josiah Gage,§ heirs and executors of the estate of

§ Autograph.

their father John Gage, concerning the hundred acres which they had possessed for seventeen years, etc.

Jonathan Danforth,* surveyor, aged about fifty-eight years, deposed that in Apr., 1672, he measured Capt. Shuball Walker's farm at Bradford and ran the line between him and Goodman Gage, according to the ancient bound marks. Sworn, 22 : 7 : 1680, before Daniel Gookin, sr.*

Jonathan Danforth,* surveyor, certified at Bradford, 15 : 5 : 1680, that being desired by Josiah and Nathaniel Gage to survey a parcel of meadow land of Capt. Shuball Walker's in Rowley Village, belonging to his farm in Bradford, he found forty-eight acres, including all the meadow that had a meadow bottom, which was clear of the swamps and high brush. Sworn, 22 : 7 : 1680, before Daniel Gookin, sr.*

Jonathan Danforth* certified at Haverhill, 15 : 5 : 1680, that, being desired by Capt. Shuball Walker of Bradford to testify concerning the meadow at Rowley Village, he declared that it was one of the worst pieces of meadow, considering the quantity, that he had seen anywhere, and that he should consider it a hard bargain to take three acres of it for one acre of good meadow. He meant no better meadow than the Hazeltin's had in the same plantation. Sworn, July 15, 1680, before Nath. Saltonstall,* assistant.

John Simmons, aged about forty-two years, testified that, living ten or eleven years near Shu. Walker's, he considered two acres of Gage's to be as good as three of Walker's. Sworn, Sept. 20, 1680, before Nath. Saltonstall,* assistant.

John Hartshorne, aged about twenty-nine years, deposed that Capt. Walker of Bradford and Josiah Geag, on Sept 22 or 23, 1680, were talking about their lands on that side the river where Walker lives, and the latter said he had broken up twenty-seven acres. Walker also said that Josiah Geag had 360 acres on the Neck and he had 406, etc. Sworn, 27 : 7 : 1680, before Nath. Saltonstall,* assistant.

Josiah Gage, aged thirty-two years, deposed concerning the lines.

John Osgood, sr.,* and James Davis, sr.,* deposed concerning the amount of land, etc. Sworn, Sept. 25, 1680, before Nath. Saltonstall,* assistant.

Ezekiell Northen* and John Tod* viewed the division again, according to court order, which had been made between John Carlton, deceased, and Patience, wife of Shubaell Walker, etc.

Henry Kingsbry and James Kingsbry deposed that the Walker farm produced the best crop of corn, both wheat and Indian, of any land in the whole Neck, about fifteen years

* Autograph.

Richard Wells made oath that Joseph Gatchell attached him to this court, but no action was entered.

Rachell Clenton, desiring that her husband provide for her, was allowed 20s., she to demand no more of him.

Mary, relict and administratrix of the estate of Ephraim Davis, desired a settlement of his estate as to the six or seven acres of land which James Davis claims. Court gave her until the next Ipswich court to settle it, and then to sue for the land, if necessary.

Zachary Curtice and Elizabeth Bridges, for miscarriages, were fined.

Robert Pike, aged about sixty-three years, and Moses Pike, aged about twenty years, deposed that they saw the widow Elizabeth Wells sign and seal a will, dated Aug. 26, 1677, and they signed as witnesses. Sworn in court. The will which Major Robert Pike opened in this court, he did not leave in court.

Nehemiah Jewett and Mr. Willson, overseers of the wills of the deceased husband of widow Barker of Rowley, were ordered to call the executors of James Barker to account about what provision had been made for the widow, according to her husband's wills. They were to see that she had enough for comfortable subsistence and for the future.

John Page was licensed to keep ordinary at Haverell for a year.

Mighill Farley had his license renewed for a year.

Mr. Francis Wainwright had his license renewed for a year.

John Wainwright had his license renewed for a year.

Deacon Goodhue had his license renewed for a year.

Thomas Judkin had his license renewed for a year, also for liquors.

Erasmus James had his license renewed for a year, also to sell what cider he makes of his own by retail out of doors, but not to buy to sell.

Daniell Clark had his license renewed for a year.

ago, when they lived upon Mister Juata's farm. Sworn, Sept. 27, 1680, before Nath. Saltonstall,* assistant.

Robert Clemenens testified. Sworn, 27 : 7 : 1680, before Nath. Saltonstall,* assistant.

* Autograph.

John Dodge complaining against Walter Fairefield, Tho. Fiske and Richard Hutton, for wrong and injury done to his wife, the latter asked for trial by jury, which was granted. They were found guilty, fined, and ordered to return Dodge's platters.*

*At a General Court held at Boston, May 19, 1680, in the action of Beverly, by Wm. Dodge and Paul Thorndike v. Capt. Fiske and others for the town of Wenham, they found for defendants, the land in controversy. Copy made by Edw. Rawson,† secretary.

Richard Hutten,† aged about fifty-nine years, deposed that before he attached John Dodge of Wenham, he demanded Dodge's rates for town and country, which he refused to pay. Thos. Fiske,† Walter Fayerfield,† Charles Gott,† John Batchelder† and William Fiske,† selectmen of Wenham, certified that Richard Hutten was constable for Wenham in 1679. Owned by Beverly men.

Warrant, dated July 21, 1680, for the appearance of Richard Hutton, Thomas Fiske and Walter Fairefeild upon complaint of John Dodge, for entering his house, taking away some pewter when no one was at home, and afterwards striking his wife, so that she was much injured, signed by Daniel Denison,† for the court, and served by Samuel Moulton,† constable of Wenham.

Elnor Edwards, aged about sixty years, and Debora Geare, aged about twenty-six years, deposed that Hotton, Fiske and Faierfeld came to the house of Rise Edwards with three pewter platters, which they took out of John Dodge's house. Dodge's wife passed by and asked them why they rifled her house when nobody was at home, stepping up to take the platters away. They all three pulled her down and dragged her upon the ground, Thomas Fiske, sr., striking her a blow on the neck with his fist. Then Rise Edwards cried out, "Rescue the woman, what will you let hear be Cilld," and John Edwards stepped in and held Fiske and Fairfelld by the shoulders. Sworn, July 23, 1680, before D. Denison.†

At a General Court at Boston, May 19, 1680, in the action of John Putnam and Mr. Gardner, in behalf of the town of Salem v. the town of Wenham, judgment was given for defendant. Attest, Edward Rawson, secretary. Copy made by Daniel Denison.†

Petition to the General Court, dated 15:8:1679, by Rice Edwards, John Dodge, Edwd. Dodge, Joseph Dodge, John Edwards, Joseph Eaton and John Wooden, "families that are taken away from Beverly, y^e Towne y^e Church y^e minister y^t we allwayes did belong unto ever since it was a

† Autograph.

Town & have great content in & before to Salem & but now contrary to y^e antient Bounds, settled for aboue 26 yeares agoe; we are forced to y^e Towne of Wenham, to y^e great greife of ou^r hearts & wrong to y^e Town of Beverly & this is by y^e new Eeast line appointed by y^e Com. to part Beverly & Wenham with; We humbly conceaue y^t y^e End of y^e Gen^r Court in sending this Committee was for y^e healing of difference where it was: by this act they haue occasioned great contentions & heart Burnings one against another where was none before, & we yo^r poor petⁿ labouring under this Un-supportable burthen which o^r predecessors would not yeild unto, neither are we able to undergoe; but are forced to cry to yo^r Honours for Releife & doe most humbly beseech & earnestly craue that we may by no meanes be removed from y^e Towne of Beverly to Wenham we come not at their meeting neither doe they desire we should for they say their meeting house is full enough already, neither can o^r spirits close with them; and as for y^e new Line, it Runns betwixt some of o^r dwelling houses & our out houses & orchards & cutts us off from y^e Common, so that we haue not outlett for o^r Cattell, we humbly entreat y^e favours, we haue been at great charges to settle o^rselues having respect to y^e puiledges of y^e Towne, unexpectedly to be so disapointed & deprived it will drive us to remoue o^r Habitations," etc. Copy made by Edw. Rawson,* secretary.

Wenham's bill of cost, 4li. 4s. 6d.

Petition to the General Court, dated Oct. 14, 1679, by Wm. Dixcy, Wm. Dodge, sr., Samll. Corning, John West, Hugh Woodberry, John Dodge, sr., John Hill, per order and in behalf of the town, Paul Thorndike, Wm. Rayment, Wm. Woodberry and Andrew Elliot, "y^e respected Committee y^t were appointed y^e Last yeare to settle differences in y^e Line between Salem Village, Wenham and Beverly made a Returne to this Hono^{red} Court which was grounded upon mistakes, so far as it Relates to our Towne & being granted would depriue us of sundry familiees and much of o^r meadowes, & other Lands which haue been o^r undoubted Rights for y^e use of o^r ministry for about these thirty yeares; disannulling thereby y^e antient Bounds between Wenham & us which haue been confirmed long ago by possession perambulation & written agreem^{ts} which bounds we were referred to by Salem in y^e Liberty we had from them to be a Towne; & confirmed to us by y^e Hon^d Gen^r Court when we were made a Towne To y^e great detriment of o^r Towne & greife of Sundry familiees, who having been so many yeares of o^r Towne, doe earnestly desire there to continue still & yo^r petitionⁿ conceaving that

* Autograph.

this was not understood by y^e hono^{ble} Court when the sd Returne was presented, Therefore y^e petitioners doe humbly petition y^r Hono^rs for Releife in this Case & a full hearing of o^r case in order thereunto, not doubting but this being graunted; This Honored Court will se reason that o^r antient & so long possessed & acknowledged bounds shall remaine." Attested, Oct. 15, 1679, by Edw. Rawson,* secretary.

Charles Gott* and John Batcheler* testified that they notified the selectmen to meet with them to run the divisional line agreed upon by the committee in 1678 and confirmed by the General Court in May, 1679, between Wenham and Beverly, to be from the white oak on Alford's hill to the quarter part of Manchester line, but they did not comply, also again in the summer of 1679. So deponents ran it alone and it took in the families before mentioned. Later Beverly men ran it and found the same. Thomas Patch testified to the same.

Charles Gott testified that he carried the notice to Andrew Eliote, selectman of Beverly. Thomas Fiske testified that the selectmen of Beverly refused to attend. Sworn in court.

Samuell Corning,* for the selectmen of Beverly, certified, on Mar. 9, 1678-9, that these families were rated in Beverly in 1679, and Peter Woodbery,* constable of Beverly, certified on Mar. 19, 1680, that they had all paid their rates.

Walter Fairefeild and Thos. Fiske testified that they ran the line and found John Dodge's house in Wenham. Sworn in court.

Report of the committee, Nathaniel Poole, John Waite, John Putman, John Curwin, Willm. Johnson and Richrd. Hull, appointed by the General Court to settle differences between Beverly, Wenham: on 11 : 9 : 1679, they met, and the Beverly bounds being from the east side of Bass river to Wenham line at a pine stump by a swamp running out of Larence Leaches meadow, they ran the divisional line as follows, from this pine stump to a marked white oak on Alford's hill near the great pond, then straight to Manchester line bounds to the fourth part of said line, from a white oak marked on the east of Pleasant pond to the head of Chubby creek, the meadow within the line belonging to Beverly from Longham bridge eastward to remain to Beverly and that the 600 acres granted to Wenham by Salem be made good to them; the line between Wenham and the Village was to run from the before mentioned pine at Leaches meadow to a west line ——. Attested by Edw. Rawson, secretary. Copy made by Daniel Denison.*

Thomas Killim of Ipswich deposed that he met the men

* Autograph.

running the line when he coming from Beverly, etc. Sworn in court.

John Davise, aged about twenty-five years, deposed that William Rayment of Beverly told him, etc. Sworn in court.

Petition to the General Court, of John Hathorne,* for the selectmen of Salem, dated Oct. 14, 1679, for a hearing of the case between themselves and Wenham, because the committee appointed by the General Court acted upon misinformation of Wenham men, who said that Joseph Porter's house was at least 20 poles within Salem bounds, but it was found that the house was within Wenham by 120 poles; if this land be taken away from Salem, their faith in the title of all their lands from the General Court would be shaken; they hoped they would not be asked to pay for Wenham's neglect, for in 1639 the General Court granted to Wenham much land between Topsfeild and Wenham, which by the latter's neglect was afterward granted to Topsfeild, etc. A hearing was granted by the General Court, Oct. 15, 1679, as attested by Edw. Rawson, secretary. Copy made by Daniel Denison.*

Josias Dodg, aged about fifteen years, deposed that, as he was making hay not far from his father's house, he saw Hotton with the black staff under his arm strike on the door. Deponent showed him a sled to be attached for rates, but they opened the door where a great kettle stood, etc. Sworn in court.

John Edwards, aged about thirty-seven years, deposed that he came to his father's house and found Fiske, Hotten and Fairfeild there asking for some fire to light their pipes. His father told them he was not willing they should have fire. Deponent told them they might have some if they would go to his house but not inside the door. He showed them a receipt for the rates in 1679, etc. Sworn, July 23, 1680, before D. Denison.*

John Edwards, aged about thirty years, Benjamin Edwards, aged about eighteen years, and William Simons, aged about twenty years, deposed. Sworn in court.

Thomas Hobs, aged about fifty-eight years, deposed that he went to his neighbor's, John Dodg's, house and the latter's wife said if Wenham men came there for rates she would make the blood run about their ears. Deponent told her that if the constable commanded him to do it he would not be afraid to come, whereupon Goodwife Dodg caught him by the hair of his head and with her other hand struck him on the face in a furious manner. Sworn in court.

William Knowlton, aged thirty-six years, deposed that talking with John Dodg, sr., etc.

* Autograph.

The selectmen of Andover, Richard Barker, John Frye, William Chandler, Christopher Ossgood and John Barker, certified that they warned John Marble out of town on May 7, 1680.*

Charles Gott, aged about forty-one years, deposed that he asked Goodwife Dodg what she would have done with the black staff if she could have gotten it, and she replied that she would have made it fly about some of their ears. She said she did not know whether Thomas Fisk struck her or not, but she struck him a blow on the hat or side of the head. Sworn in court.

William Simons, aged about twenty-one years, testified that old Goodman Edwards stepped up with his hoe to the men who were abusing Goodwife Dodg, etc. Sworn, July 23, 1678, before D. Denison.†

Nathaniell Ston, aged about forty-eight years, and John Dodg, aged about forty-nine years, testified that, accidentally meeting the Wenham men when they were running the line, they observed that the compass that they ran by sight was altogether false. It would not work, and the north point stood south or any way, so they shook it and turned it the way it would best answer their ends.

Rise Edwards, aged about sixty-five years, deposed concerning the rough handling of the woman and why he cried out to rescue her. Sworn, July 23, 1680, before Daniel Denison.†

John Dodg, aged about forty-nine years, and John Edwards, aged about thirty years, deposed.

Thomas Fisk, sr., deposed.

Nathannuell Stone, aged about forty-eight years, testified as to the black and blue places on Goodwife Dodge's arm. Sworn in court.

Zacorie Hericke, aged about forty-three years, testified. Sworn in court.

John Dodg, aged about seventeen years, testified that his mother, etc. Sworn, July 23, 1680, before D. Denison.†

Debora Gare, aged about thirty-three years, testified. Sworn in court.

William Knowlton, aged thirty-six years, testified. Thomas Patch also testified.

Thomas Patch, aged about forty-two years, deposed that he questioned Capt. Dixey, Beverly's commissioner, etc. Sworn, July 20, 1680, before D. Denison.†

*The original order, signed by Richard Barker,† John Frie,† William Chandler,† Christopher Ossgood† and John Barker.†

† Autograph.

Given to the house, 6s. 8d.

Mr. Phillip Read appeared to prosecute against Mrs. Margaret Giffard, upon suspicion of being a witch, but she did not appear.

Daniell Welden, on Mar. 8, 1680-81, came before Worshipful Major Genrll. Denison and Capt. Nath. Saltonstall and acknowledged judgment to Mr. John Wyman of Wooborne in silver money.

List of presentments, dated 28 : 7 : 1680, signed by Tristram Coffin,* in the name of the rest of the grand jury:

Edward Phelps of Andevar, for drunkenness. Wit: Will. Sayear and Mr. Rich. Dole, sr., of Newbury.

The town of Haverill, for not having a school master according to law, page 136. Dismissed.

The town of Salesbury, for not having a schoolmaster, according to law, page 136. Dismissed.

Petar Petts of Haverill, for being absent from his wife several years. Wit: Andrew Grele.

Warrant, dated Apr. 9, 1680, for the appearance of John Wallingford and Thomas Thurla, to answer their presentments, also Caleb Moody, Jo. Atkins, Nathaniel Clark, Joseph Guttridg, Benjamin Guttridge and Jonathan Moore, as witnesses; also to John Webster, upon complaint of Jo. Marsh, for altering a warrant granted by Mr. Woodbridge, signed by Robert Lord,* cleric, and served by Joseph Pike,* constable of Newbury.

Venire, dated Aug. 17, 1680, for Haverill, and warrant for the appearance of Benjamin Greely upon complaint of John Severns for peeping in at the windows, signed by Robert Lord,* cleric, and served by Robt. Emerson,* constable of Haverhill, who returned the names of John Haseltine for the jury of trials and Andrew Grelee for the grand jury.

Venire, dated Sept. 10, 1680, for Newbury, also summons for the appearance of Samuell Eaton, signed by Robert Lord,* cler., and served by Joseph Pike,* constable of Newbery, who returned the names of Sergeant Tristram Coffin and William Sawyer, sr., for the grand jury, and Mr. Hugh March, sr., and Mr. Moses Gerrish, for the jury of trials.

Venire, dated Sept. 10, 1680, for Andover, signed by Robert Lord,* cleric, and served by Joseph Willson,* constable of Andover, who returned the names of Ralph Farnum, sr., for the grand jury, and Daniell Poore, sr., for the jury of trials.

"A note of what things we desire to haue sent over for our part:"† A great kettell about 18 or 20 gallons & others

* Autograph. † This paper is in the handwriting of Robert Lord.

COURT HELD AT SALEM, 30 : 9 : 1680.

Judges: The Honrd. Majr. Genrll. Daniell Denison, Capt. Nathaniell Saltonstall, Esq., William Browne, Esq., and Bartholmew Gedney, Esq.

Grand jury: Mr. John Ruck, John Holmes, Samuell Eborne, sr., Anthony Buxton, Robert Fuller, Joshua Ray, Ensigne Fuller, Robert Rand, Allen Bread, jr., James Freind, John Bennett, John Sibly and William Griggs.

Jury of trials: Mr. Samll. Gardner, jr., Mr. Robert Kitchin, John Mastone, jr., Usall Wardall, John Williams, Edward Flint, Robert Potter, John Burell, Samuell Johnson, Richard Hutten, John Patch and John Seargent.

Seargent Kertland of Linn was fined for not appearing to serve on the grand jury.

William Browne, Esq. v. Capt. Laurence Hamond, Mary Russell, administratrix of the estate of Prudence, late relict and administratrix of the estate of Tho. Russell, deceased, John Phillips and Antho. Chickley. Forfeiture of a bond. Verdict for plaintiff. Court moderated the bond.*

les to goe one within another to 3 gallons & 6 skilletts the biggest to hould 2 quarts strong such as they call dubble brass a doozon of pewter platters six of them that was about 3 or 4 pound a peece and six about 2 pound & halfe a peece wayt, one doozon of poringers 6 of 3s. p doozon & six of a larger size and 2 doozon occumy spoones; beding, 4 darnacle coverings and 30 or 40 yds tikeing halfe a peece of greene say, six ells holland at 6s. p ell, one piece of Sleasie at 2s. p ell, 1 peece at 16d p ell, 20 ells of fine dowles, a peece of 3-4 wyde blew lennen, 1-2li. blech thred at 4s. a pound, 1-2li. ontnall thred 12s p li. & 1-2li. at 8s. p li., halfe a pound of silke, sowing & stiching, 1-2 a doozon of red & white pins & 1-2 doozon short whites, a peece of greene 4d. ferret ribbin, two pare of 3-4 bodyes and 4 paire 1-2 ell, a peece of Exeter kersie, good civill couller & a peece of single devonshire Kersie, halfe a firkin of larg 3d. nayles & 1-2 a ferkin of 10d nayles, a pound of nutmeags, 1-2li. cloves, 1-2li. mace and 1-2li. of cinamon. A trunke to put the goods in "markt R^LM thus."

*Writ, dated Boston; Oct. 20, 1680, signed by Nat. Barnes,† for the court and town of Boston, and served by Joseph Ryall,† constable of Charlestown. Bond of Laur. Hammond† and John Phillips.†

† Autograph.

Isaack Hull, husband of Sarah, relict of John Sollart, jr. v. Walter Fairefeild, executor of the will of John Solart, jr., deceased. For withholding or refusing to deliver to said Isaack an estate left by said Solart. Verdict for plaintiff, that parcel of land laid out to the executor by Tho. Fisk and Charles Gott, with 6li. for rent. Appealed to the next Court of Assistants. Defendant bound with Jon. Hoare and Ezekieil Woodward as sureties.*

William Browne, Esq., of Salem, Dr., June, 1676, to cash paid by Capt. John Phillips, 55li.; July 28, to cash paid by Laurence Hammond for his account to Mr. Thomas Deane, 55li.; to cash paid by Capt. Thomas Russell or his widow, 55li. Cr., due by bond, 220li. Owned by Browne in court.

Bond, dated Jan. 14, 1675, given by Laur. Hammond,† Thomas Russell† and John Phillips,† merchants, all of Charles-town, and Anthony Checkley,† merchant, of Boston, to William Browne of Salem, who having given letters of credit to William Shipman and Robert Raworth of Theneriff, merchants, upon William Barron, merchant, at Bilboa, for 200 pieces of eight, to be paid in Bilboa in bills of exchange, for buying wines in Theneriff to load upon the ship Katherin, in the company of William Browne and John Turner of Salem, Lawrence Hammond, Thomas Russell and John Phillips of Charles-towne, and Anthony Checkley of Boston, each one-sixth, they should pay him 220li. upon arrival of the ship at Boston. Wit: John Keeny† and James Buttler.† Sworn, in Boston, Oct. 24, 1680, before John Joyliffe,† commissioner.

*Writ, dated Nov. 10, 1680, signed by Andr. Eliott,† for the court and town of Beverly, and served by Samuell (his mark) Moulton, constable, by attachment of the dwelling house and land of defendant.

Summons, dated Nov. 9, 1680, to Walter Farfeild of Wenham, signed by Andr. Eliott,† for the court and town of Beverly.

Walter Fayerfield's bill of cost, 12s. 4d.

Isaack Hull's bill of cost, 3li. 12s.

Inventory given in to Ipswich court, Mar. 27, 1677, by Walter Fairefield, executor of the estate of John Solart, jr., amounting to 84li., together with a colt appraised at 40s., by Richard Hutton and John Killam; also what Solart received from his mother, 5li. in silver and 49s. in goods, and 22s. more in silver. Copy from the record of wills and inventories, book 4, page 84, by Robert Lord,† recorder.

Copy of will of John Solart, dated 26 : 7 : 1672, proved, Mar. 28, 1676, in Ipswich court, he "being bound to sea and for old

† Autograph. ‡ Seal, with letters A. C., probably Anthony Checkley.

England." his estate left by his father to him and 4li. due from Mr. Richard Oliver of Munhegen, he left to his wife Sarah, now in England; in case there was a child born to her, she was to have one-third and the child, two-thirds; Walter Fairefield, of Wenham, executor, and Nehemiah Jewett and Roger Darbie, overseers; if his wife died, his brother Joseph Solart was to have the estate. Wit: Robert Lord, jr., and Phillip Fowler. Copy made by Robert Lord,* recorder.

Copy of the administration upon the estate of John Sorlat, at Ipswich court, Sept. 24, 1672, made by Robert Lord,* recorder.

Peter Cocke, aged about fifteen years, son of Roger Cock and brother to Sarah, wife of Isaac Hull, all of Topsam in Devonshire, deposed that he knew John Solart of New England and that his sister was the wife of said Solart about one year. After Solart's death, his sister lived with Isaac Hull, as his wife, about five years, deponent being very familiar with the house, and she had two children by Hull. Sworn, Nov. 5, 1680, before John Walley,* commissioner.

Nehemiah Jewett* and Roger Derby* certified, on Nov. 4, 1680, that Sarah, wife of Isaac Hull, was the right heir to Solart's estate and that it should be delivered to said Hull, etc. Sworn in court. Walter Fairefeild owned that he let the land staked out for John Solart, jr., to Ezekiel Woodward, from day to day.

John Severy testified that Fairfeild offered to let him the land between the lane going up to Ezekiel Woodard's house and the burying place at Wenham, but deponent left it because he asked more by the year than he was willing to give. Fairfeild plowed the same day and the next day sowed what they plowed. Sworn in court.

William Brusey, of Topsham, Devonshire, aged about thirty years, deposed that he was well acquainted with John Solart, sometime of New England, who married Sarah, daughter of Roger Cock of Topsham, Chandler, and after Solart's decease, she married Isaac Hull of Topsham. Sworn at Boston, Oct. 22, 1680, before Bartho. Gedney,* assistant.

Robert Nowell of Salem, aged about thirty-four years, deposed that he was in Topsham, England, about five years ago at Isaac Hull's house, when the latter's wife told him that she had been formerly the wife of John Solart, a New England man, she knowing that deponent also was a New England man. Sworn, Nov. 3, 1680, before William Browne,* assistant.

Richard Hutten, aged about fifty-nine years, deposed that the houses and lands of John Solart, sr., had been in possession

* Autograph.

Robert Hooper v. Edward Holeman. Trespass. Verdict for defendant. Appealed to the next Court of Assistants. Said Hooper bound, with Robert Bartlett, John Roads and William Wood, as sureties.*

of Ezekiel Woodward ever since the winter of 1672. Sworn in court.

Roger Derby† certified that John Solart, some time of Wenham, and lately of Topsham, England, left in his hands his will when he was bound for old England. About two years later, Solart returning, told deponent that he would not change anything but desired him to write to his wife and her friends in England and tell them how he had made his will.

Thomas Carter, late of Topsham, mariner, aged about twenty-six years, deposed that he was well acquainted with John, son of John Solart of Wenham, in New England, ordinary keeper, etc. Sworn, Oct. 23, 1680, before John Walley,† commissioner.

Richard Hutten, sr., aged about fifty-nine years, and Ezekiel Woodward, aged about fifty-eight years, deposed that Soolart was said to be dead two or three years before his mother died, she being alive when his will was proved. Sworn in court.

Ezekell Woodward, aged about fifty-eight years, deposed that John Solart's estate had been in his hands since 1672 when he married Elizabeth Solart, John's widow. Sworn in court.

William Clare,† Rector of the parish, certified that Isaac Hull and Sarah Solart were married in the parish church of Clist St. George, on Sept. 1, 1675, by him.

Thomas Fiske, aged about fifty years, and Charles Gott, aged about forty-one years, deposed that they set off to John Soolart eighteen acres from his father's estate, southward from the house and joins upon the country road, it being part of the old John Soolart's homestead. They had heard Walter Fairefield say several times that he had let this land to Ezekiel Woodward for 3li. per year. Sworn in court.

*Writ: Robert Hooper v. Edward Holeman; trespass; for withholding a parcel of land of plaintiff's, in the place where John Coytes' house stood; dated 17 : 9 : 1680; signed by Hilliard Veren,† for the court and town of Salem; and served by Richard Norman,† constable of Marbellhead, by attachment of the house of defendant.

On 28 : 9 : 1649, John Coyte sold to William Pitt all his houses, his third part of the stages, with the land adjoining, two acres of marsh, eight acres of upland upon the neck, for 11li., as by a writing, dated Feb. 9, 1647, as per the book of

† Autograph.

record of sales, kept in Salem. Copy made by Hilliard Veren,* recorder.

Edward Homand's bill of cost, 19s. 10d.

Copy of deed, dated Oct. 2, 1673, given by Christopher (his mark) Lattamore, mariner, and wife Mary of Marblehead, to Edward Holeman of Marblehead, cooper, for 11li., land in Marblehead "neare the water side, together with the p^rvilidges of a cove adjoyning & that from high water marke to low water marke & being bounded as followeth viz: with a stone wale south, adjoyning to the land of Henry Russell, next the cove, being sixty feet in bredth next the coue, & running with a straite line from the coue on the south or southwest up to the old house or just beyond the house of Robert Hooper (only the sd Rob^t Hooper, & his wife are to injoy the land his house stands upon during theire naturall liues) & soe running with a north line, cloce to the back of Holemans house, to the end of the lentoo, & soe running from the end of the sd house, with straite line to the said coue on the north east excepting the liberty of a highwaye, for the Towne through the said ground, by the end of the s^d Holemans now dwelling house which is to be left comon." Wit: Francis Johnson and Edward Norrice, sr. Acknowledged, Mary Lattamore releasing her thirds, 30 : 1 : 1674, before Wm. Hathorne, assistant. Copy from the county records made by Hilliard Veren,* recorder.

Moses Mavericke,* John Peach, sr.,* Richard Norman* and Thommas Petman* testified that the greatest part of the land upon which Robert Hooper's house now stands was the town's land, and that the little wood yard was the town's land, all of which was given to said Hooper; also that the greatest part of Edward Holman's house stands where the old Coite house was. Mark Petman testified to the same. Sworn, 2 : 3 : 1677, before Wm. Hathorne,* assistant.

William Parsons, aged sixty years, and James Dennes, aged thirty-eight years, testified that Robert Hoper employed them to make a fence around part of his house to keep the cattle away. Edward Homan told Hooper that if he made a fence there that he would pull it down and Homan's wife said the same, etc. Sworn in court.

Joan Codner, aged about forty-three years, testified that about sixteen years ago he was at Hooper's house when Goodman Homan and she who is now his wife were speaking about marrying. Goodman Hooper said if the match went on, he would give Edward Homan as much ground as he needed to set a house upon. Sworn in court.

Copy of deed, dated Feb. 1, 1663, given by Christopher (his mark) Lattamore of Marblehead, and wife Mary, for

* Autograph.

Zacheus Curtice v. Joseph Pebody. Withdrawn.*

Henry Lilly, glover v. Georg Penny, commander of the ship Unity of London. Verdict for plaintiff.†

33li. 10s. to Robert Hooper of Marblehead, fisherman, "all that dwelling house of mine in Marblehead which standeth on the Hill where John Goytes house stood, which he sold unto my father pitt, as alsoe a spott of ground, being about the quarter part of an acre, bee it more or lesse, which is now fenced in & lyeth betweene a pcell of land of Henry Russells & Christopher Lattamores fishyard," said Hooper maintaining all the fence between them. Wit: Will. Bartrum and William Pitt. Acknowledged, 10 : 8 : 1664, Mary Lattamore releasing her thirds, before Wm. Hathorne, assistant. Copy made by Hilliard Veren,‡ recorder.

Tabitha Brimblecom, aged about seventy years, testified that she heard Hooper make the promise, and when Edward Howman was setting up the frame of his house where it now stands, Mr. Lattamore told him not to put his house there for the land was his, but Hooper told him to go ahead and he would be responsible if it stood him ten pounds. Sworn, Nov. 27, 1680, before Moses Mavericke,‡ commissioner.

Jno. Codner, aged about sixty years, testified that he was in Hooper's house when Holeman asked what he should do for a garden. The latter's father-in-law Jno. Brimblecome said that he would exchange with the town as much ground for a quarter of an acre near his house. Sworn, Nov. 27, 1680, before Moses Mavericke,‡ commissioner.

Sarah Pick, aged about thirty-five years, testified that she was at Hooper's house when the frame of Homan's house was being raised, etc. Sworn, Nov. 30, 1680, before Moses Mavericke,‡ commissioner.

*Writ: Zacharious Courtice v. Joseph Peabody of Rowley Village; for saying that he had improper relations with the widow Elizabeth Bridges, etc.; dated Nov. 23, 1680; signed by Robert Lord,‡ for the court and town of Ipswich, and served by John Pabody,‡ constable of Rowley Village, by attachment of the house and household goods of said Peabody.

Joseph Pebody's bill of cost, 1li. 16s. 10d.

†Writ: Henry Lillye, glover v. Georg Penny, commander of the ship Unity; for in an inhuman and unchristian manner abusing him and his wife, by forcing them, contrary to agreement, to pick oakum, without which they could have no victuals or drink, also for withholding their diet when they were kept at work daily, for turning them out of their cabin, forcing them to lie upon the hard boards, they being passengers,

‡ Autograph.

by which their health was much impaired; dated Oct. 27, 1680; signed by Nat. Barnes,* for the court and town of Boston; and served by Returne Waite,* marshal. Bond of Georg Penny* and Hum. Davie.*

Richd. Secombe, aged thirty-five years, and Lancelott Lake, aged thirty-one years, deposed that Penny, when within a few days' sail from Lands End in England, set them to picking okum and put Richard Kennett, his chirurgeon, over them as supervisor of the okumites, who told them, no work, no victuals. There was only about one pound of beef for six passengers, and only three times a week, and the drink was either very salt or as thick as pudding, and only about a pint a day to a passenger. Before the ship came to anchor at Boston they were kept close prisoners in the gun room, not having liberty to go ashore. Sworn in court.

Bond, dated June 3, 1680, given by Henry Lilly,* and wife Ann, of Old Street, near the city of London, to George Penny of Wapping, near the city of London, mariner, for 24li., to be paid within six days after the arrival of the ship Unity at Boston. Wit: Solomon Hobartt* and Nath. Brigge.*

Henry Lilly's bill of cost, 2li. 1s. 10d.

George Hilliard, gunner, of the ship Unity of London, Nicholas Matthews, cooper, and Richard Kennett, Chirurgeon, deposed that the allowance on board was no less for five men, women and children, than one piece of beef a day, mess pieces cut at London, 2 1-2 pounds of flour, with peas, 11 pints a day for the ship's company and passengers, four pounds of bread a piece every week, and as for fish, they heard no complaint of want. Every mess had a pound and a half of butter every week, and as for beer and water, the least allowance was three pints a day for men, women and children, until the last week of the voyage when each person had a quart a day. Sworn, Nov. 11, 1680, in court. Copy made by Isa. Addington,* cleric.

James Rose complained also that Penny in a cruel and barbarous manner beat and abused him when he was a passenger on his ship, by tying him to the capstan and beating him with a great tarred rope, three inches round, which was almost as hard as iron. He also threw him over a grindstone, and with five of the seaman whom he ordered to assist him, said Penny abused him most horribly.

Mary Newby, aged thirty-four years, Johanna Secombe, aged thirty years, and Peter Hicks, aged eighteen years, deposed that the fish they had to eat was rotten, the beer as thick as puddle water or else salt. Also that Richard Kennett, as overseer over Lilly and his wife, carried a rope with which to chastise them if they were negligent, and on Aug. 14, they

* Autograph.

Robert Hooper v. Mr. Christopher Lattamore. Withdrawn.*

Erasmus James v. Mr. Robert Paine, treasurer of the County of Essex. Verdict for defendant.†

were turned out of their cabin, etc. Sworn, Nov. 1, 1680, before John Saffin,‡ commissioner.

William Newsham, aged about twenty-two years, deposed that, being one of the passengers belonging to the ship *Unity*, he observed that Mr. Lancelott Lake, another passenger, was very discontented by reason of contrary winds, and heard him say that if they did not meet with a fair wind within two or three days, they should never arrive at Boston. That he persisted in such murmurings the whole voyage, and also incited the seamen and passengers between decks against the master. At last they grew so insolent that deponent felt he was not safe and asked the master to spare him some powder, with which he loaded his pistol. After three or four days, the feeling continuing, they who were in the great cabin consulting with the master for the safety of the ship, thought it the securest way to possess themselves of the small arms belonging to the gun room, which they did by taking some into the great cabin and some into the round house. After that the seamen were peaceable and quiet. Whereas it was reported that the master said he was "God and Lord of that wooden world," deponent never heard any such expression from him nor could he imagine he would say it. The cook of the ship, who was said to be the author of it, was a person of very little credit and behaved so rudely and profanely in swearing, singing base songs and drunkenness, that daily complaints were brought of him to the master which occasioned differences between them, so that he may have spoken from prejudice. Sworn Nov. 11, 1680, in court. Copy made by Isa. Addington,‡ cleric.

*Writ: Robert Hooper v. Christopher Lattamore; for not maintaining Hooper's interest in the land where Goit's house stood; dated 20 : 9 : 1680; signed by Hilliard Veren,‡ for the court and town of Salem; and served by Richard Norman,‡ constable of Marblehead, by attachment of the part of the house that Mr. Lattamore lives in, namely, the new end, from top to bottom.

Cristiver Latemore's bill of cost, 18s. 4d.

†Josiah Gatchell testified that he knew Salem prison was not sufficient, for any man having no instrument except his own hands could come out as he pleased. He was also at Ipswich when Erasamon James had two men to view that

‡ Autograph.

Jeremiah Jewett v. Twiford West. Appeal from the Hon. Major Genll. Daniell Denison. Verdict for defendant, confirmation of the former judgment.*

prison, and the keeper locked in two men, who came out without the doors being unlocked. He saw one man pull up one of the boards overhead in the prison with his hand, going into the chamber of the prison, and others went out under the groundsill and some went out next the watch house.

Thomas Aires and Nathaniel Chapman, being chosen by Erasimas James of Marblehead to view the goal at Ipswich, declared that they saw Mr. Willson, the prison keeper, put a man in, etc. They found not one room there that was sufficient to keep in a man who had the dexterity of an ordinary man. Sworn, Nov. 24, 1680, before Daniel Denison.†

Theophilus Wilson, aged about seventy-nine years, deposed that last September he received John Haskens, by warrant from the Worshipful Mr. William Browne, Esq., assistant, and locked him into the strongest room in Ipswich prison. In thirty-six hours, he had broken prison, without any apparent help by man or implement, etc. Sworn, Mar. 24, 1680, before Daniel Denison.†

Letter of attorney, dated Nov. 27, 1680, given by Robert Payne,† treasurer, to Robert Lord, marshal. Wit: Robert Lord, sr.,† and Phillip Foulter.† Sworn in court.

Copy of writ: Erasmus James v. John Haskins; debt; dated Aug. 30, 1680; signed by Moses Maverick, for the court and town of Marblehead; and served by Richard Norman, constable of Marblehead, by imprisonment of defendant. Copy made by Robert Lord,† cleric.

Copy of writ of execution, dated Sept. 30, 1680, signed by Robert Lord, clericus. Copy made by Hilliard Veren,† cleric.

Writ: Erasmus James of Marblehead v. Mr. Robert Paine, sr., of Ipswich, Treasurer of the County of Essex; for John Haskins, whom James had had arrested for debt, being allowed to escape from Salem prison and again from Ipswich prison, on account of the insufficiency of said prisons; dated Nov. 23, 1680; signed by Moses Mavericke,† for the court and town of Marblehead; and served by Robert Lord,† marshal, by attachment of the house and lands of defendant.

Warrant, dated Sept. 24, 1680, to the Ipswich prison keeper to receive into the prison Jno. Hoskins, signed by William Browne,† assistant.

*Jeremiah Jewett's† reasons of appeal, given in 24:9:1680, to Daniel Denison.†

Twiford West's† answer.

† Autograph.

Letter of attorney, dated 29 : 9 : 1680, given by Twiford West* of Ipswich to Phillip Fowler of Ipswich. Wit: Robert Lord, sr.,* and Esther Gains.* Acknowledged, Nov. 29, 1680, before Daniel Denison.*

Copy of papers in this action brought before Daniel Denison, Nov. 5, 1680, made by Daniel Denison.*

Writ: Twiford West v. Jeremy Jewet; for stopping up the highway and preventing him from going to and from his own land; dated Oct. 6, 1680; signed by Daniel Denison;* and served by Robert Lord, marshal.

Twiford West's bill of cost, 2li. 4s. 4d.

Copy of selectmen's record of 6 : 4 : 1651, that John Gage and Robert Lord should appoint a way for Marke Symonds to go from his farm through Joseph Muzzey's farm, which they did.

Judgment in this action for plaintiff.

Jeremy Jewett's bill of cost, 1li. 11s. 8d.

Nehemiah Jewet and Joseph Carlton certified that the following writing Jewet read at West's house and delivered it to West's wife: "Neighbour Tweford West It was but Yesterday & not before that (euer I doe remember) you propounded to me to purchas a way of me to your land, for selling a way to it I am unwilling, for I know not, where I shall haue occasion my selfe to come out into the road, but to suffer you to em-proue a way upon reasonable terms, I am willing provided you doe putt up my Bars or railles, as you pass to and fro, & not impound my creatures, when taken in damage till you informe me, that so I may haue them upon reasonable satisfaction, as the law provides, I shall for this yeare be willing you shall pass ouer my land to your ground, where you haue late yeares past, for two shillings & if that be too much in your judgment, I shall be willing to leaue it to indifferent men, to sett a price. These are my present terms: and for what is due for the improuement of the way for time past I doe expect that you will giue me satisfaction.

"Ips the 19 of y^e 5, 1679 by me Jeremy Jewet."

Robert Lord, sr., deposed that where the way was laid for Mark Symonds through Muzzey's farm was land of John Gage's, between the country highway and said Muzzey's farm. John Pickard and Nehemiah Jewet affirmed the same.

John Pickard, sr., testified that the fence that Jeremy Jewet had made upon Muzzey's farm, with respect to the way deponent purchased of Marke Symonds, deponent approved.

Robert Lord, sr., deposed that when he was marshal in 1651 he served an execution for John Bradstreet on the eastern end of Mussey's farm, etc.

* Autograph

Copy of deed, dated Sept. 16, 1658, given by Mark Symonds of Ipswich, for 50li., to John Pickard of Rowley, meadow and upland on the north side of the North river commonly called Egypt river at the end of his farm, formerly sold to John Cross, containing seven acres, with half an acre which he bought of Robert Lord, bounded by land of Twiford West on the southwest, the river on the southeast, other land of said Pickard on the northeast, and the other part of the farm formerly sold to John Cross on the northwest. Wit: Robert Lord, sr., and Robert Lord, jr. Sworn, May 4, 1680, before Daniel Denison. Recorded, June 9, 1680, book 4, page 340, by Robert Lord, recorder.

Nehemiah Jewet and Excercise Jewet, his wife, deposed that when their brother Jeremy Jewet was gone to the southward, they looked after their brother's business and Twiford West asked where he should go through to his ground at the old house. They told him that he might, for the present, make a pair of draw bars, next his own land where he dwells and pass through, provided he took care to keep them well up. This was about six years ago, when Bozoone Allen was suing his brother, Jeremy Jewet.

Joseph Muzzey, aged about fifty years, deposed that about thirty-six years ago, in his father's lifetime, there was a highway through his farm, beginning at Gage's pond, which was for Marke Symonds and the neighbors adjoining to pass to their land, and ending at a red oak, which was a bound tree of the farm and a north corner of the land now in possession of Twiford West, but now cut down. This highway was bounded all along on the northwest side of the land now in possession of West. He made half the fence by agreement with West, etc.

Joseph Chapply, aged thirty-four years, deposed that West had used this way for twenty years, etc. Sworn, Nov. 5, 1680, before Daniel Denison.

Benjamin Muzzey, aged about forty-six years, deposed that about thirty-six years ago the neighbors and his father had a difference about passing through his father's farm at Egypt river, etc. Sworn, 8 : 8 : 1680, before William Browne, assistant.

John Pickard, sr., and Exercise Jewet deposed that when Boozone Allen was serving an execution upon Jewet's farm, West desired said Allen and Lt. Way, his attorney, to settle a way through the farm, etc. Sworn, Nov. 5, 1680, before Daniel Denison.

John Jewet, aged about forty-three years, testified that West tendered a rug and a horse to Jewet, but he said he would have silver, etc. Jeremy Jewet, aged seventeen years, deposed. Sworn, Nov. 5, 1680, before Daniel Denison.

Capt. Nicholas Page, assignee of Thomas Woodbridg v. George Carr, sr., and James Carr. Verdict for defendants.*

Robert Lord, marshal, aged about forty-eight years, testified that about thirty years ago, he mowed and carted hay for Marke Symonds, and going there from the country road leading to Rowley, which was used by Symonds and old father Cross, Goodman Bradstreet and others, etc. Sworn, Nov. 5, 1680, before Daniel Denison.

John Jewet, aged about forty-three years, deposed that about eighteen years ago there was only one pair of draw bars there, and they were near his barn, and West told him the way was so bad on account of the hill that he could not use it, but Jewet would not let him use any other way, etc. Deponent had heard his cousin, Jeremy Jewet, etc. Sworn, Nov. 5, 1680, before Daniel Denison.

Richard Shatswel, aged about fifty years, deposed that Jewet stopped West from passing, etc. Sworn, Nov. 5, 1680, before Daniel Denison.

John Pickard, sr., and Daniel Wicom testified that they told Jeremy Jewet that if they needed a way as much as West did, they would be willing to pay ten pounds for it, and if they lived where said Jewet does, they would rather give him 40s. not to improve it than take his ten pounds. Therefore they judged the way to be worth 10li., etc.

Richard Homes, aged seventy years, and his wife, Alice, deposed that he had a piece of this farm about thirty years ago and used the highway, etc.

Robert Lord, marshal, deposed that he and his father found the way stopped by cross fences and corn planted about two months ago.

Abraham Jewet and Nehemiah Jewet deposed.

Moses Pengry, aged about seventy years, deposed that he appraised land here in 1651, etc.

Nehemiah Jewet and Jeremy Jewet deposed.

John Clarke and John Jewet deposed that they went with West to see how cousin Jeremy Jewet had blocked up the way by laying great stones, etc.

Haniel Bosworth and Richard Shatswel, aged fifty years, deposed that the damage to West by hogs in his oats was 11s., damage to hay, 17s., and as for the apples and other fruit, they had not yet determined. Sworn, Oct. 26, 1680, before Daniel Denison.

*Writ: Capt. Nicholas Page of Boston, assignee of Tho. Woodbridge of Newberry v. George Carre, sr., and James Carre, both of Salisbury; for refusing to deliver the ketch bought by said Woodbridge, which was on the stocks in April,

1678, although they had received 110li. as part payment; dated Oct. 26, 1680; signed by Robert Lord,* for the court and town of Ipswich; and served by John Stevens,* constable of Salisbury, by attachment of the hull of a ketch lying at the island of Mr. George Carre, sr., and James Carr.

Receipt, dated Apr. 6, 1678, given by James Carr* to Tho. Woodbridge, for 110li., due from James Frees to said Woodbridge. Acknowledged, Apr. 6, 1678, before Jo. Woodbridge,* commissioner. Tho. Woodbridge* assigned this bill, on Mar. 27, 1680, to Capt. Nicho. Page. Wit: Ant. Checkley* and Jno. Pyncheon, jr.* Acknowledged, Mar. 27, 1680, before Simon Bradstreet,* Governor.

Hen. Wheeler, aged about forty-three years, deposed that being at Mr. George Carre's house about six weeks ago, with Mr. Tho. Woodbridge and Mr. Isaac Burton, said Carr said he would carry on the ketch according to agreement, etc. Georg Carr, jr., testified to the same. Sworn, 2 : 10 : 1678, before Samll. Dalton,* commissioner.

Agreement, dated Apr. 6, 1678, between George Carr, sr., of Salisbury, shipwright, and Tho. Woodbridge† of Nubery, merchant, by which said Carr was to fit the ketch now on the stocks of 54 tons, with all ship carpenter's work to a cleat for sea, a boat only excepted, to be launched by May 20, for which Woodbridge was to pay 50li. in money by Apr. 14, at Carr's dwelling house in Salisbury, and assign to Carr a bill of 110li. due from James Freeze of Amsbery; also Woodbridge was to pay five hundred weight of okum and ten barrels of tar to be delivered at Farmer Peirce's malt house in Nubery, also 1 M white pine plank full two inches sawed, and to pay 50li. more the day before launching, also to pay for all nails and iron work already spent about the ketch and to furnish more as needed; Woodbridge was to forfeit the okum and tar and Freeze's bill of non-performance of his part of the agreement. James Carre was also a partner with George Carre. Wit: George Carr, jr.,* and James Freeses.* Sworn, Nov. 23, 1680, before Nath. Saltonstall,* assistant.

On July 16, 1679, James, son of George Carr, protested before Robert Howard,* sole notary public of Massachusetts, by authority of the General Court, that Thomas Woodbridge had not paid the 50li. in money, nor for any of the iron work, nails, okum, tar or plank. Recorded in book 5, page 284, of the Notarial records. Howard appointed Jonathan Woodman, Edmond Marshall and James Freese, as his deputies, to read this protest to said Woodbridge.

James Carr's bill of cost, 3li. 2s.

Jonathan Woodman of Newbury, aged about thirty years,

* Autograph.

† Autograph and seal.

Major Thomas Savage v. Samuel Apleton of Linn. Review. Nonsuited.*

deposed that being at Hewe March's house in Newbury in Oct., 1678, James Carr told Capt. Page that he had business only with Mr. Woodbridg about the ketch, but Page replied that he had to do with him. Carr said if that was so, if Page would provide the means, all hands would go to work and get the ship launched, etc. Sworn, Jan. 30, 1678, before John Woodbridge,† commissioner.

Giles Young, aged about forty-nine years, testified that being at Mr. George Carr's house at Salisbury, Mr. Isaac Barton offered said Carr 80li. in money, if he would promise when he would launch the ship and deliver her to him. Sworn, Oct. 25, 1678, before Jo. Woodbridge,† commissioner.

Mr. George Carre, jr., aged about thirty-six years, and James Freezes, aged about thirty-eight years, deposed that they received some okum, but no tar. Sworn, July 12, 1679, before Jo. Woodbridge,† commissioner.

Thomas Hunt deposed that he saw Thomas Baker have a bill from Mr. Woodbridge to Mr. Page to pay him 16li., 6li. in money and 10li. in iron, for iron work on the ketch, but Page put the order in his pocket and said he would speak with Woodbridge. Thomas Baker deposed that he never received anything. Sworn at Boston, Nov. 8, 1680, before Elisha Hutchinson,† commissioner.

Samuell Sawyer, aged about twenty-nine years, deposed that he was in Hugh March's house when Paige told Carr that "his knavery in this case should be one fourty or fifty pounds out of his way with m^r Allen about his shipp & said he would do his businesse for him with Mr. Allen." Sworn, Feb. 6, 1678, before Jo. Woodbridge,† commissioner.

Edmon Marsiall and Jonathan Woodman, both of Neubury, aged about thirty-two years, deposed as to reading the protest to Thomas Woodbridge. Sworn, Nov. 23, 1680, before Nath. Saltonstall,† assistant.

Thomas Freame, aged about thirty years, and John Hoitt, jr., aged about forty years, deposed. Sworn, Nov. 23, 1680, before Nath. Saltonstall,† assistant.

Jno. Curwin,† Wm. Browne, jr., and Jno. Price,† arbitrators, reported on Dec. 24, 1679, that Thomas Woodbridge should pay to Capt. Nicholas Paige of Boston, within six months, 574li. 9s. or make over to said Page his interest in the ketch, also his plantation in Barbadoes, with his mother White's interest therein, etc. Sworn, 30 : 4 : 1680, in Salem court.

* Writ: Thomas Savage v. Samuel Appleton of Lynn; review of an action tried at Salem court, June, 1678, for with-

† Autograph.

holding possession of the Iron works at Lynn, and at the Court of Assistants in Sept., 1678, with judgment against Appleton, but being brought to a trial by attain, and thence to the General Court, judgment was given against Savage; dated Nov. 18, 1680; signed by Nat. Barnes,* for the court and town of Boston; and served by Jacob Knight,* constable of Lynn, by attachment of two oxen, a black and a brown or red ox, English corn or grain in the old barn, called old Dexter's barn, belonging to defendant, and left all in the custody of Oliver Purchis.

"At old Ironworks this 3^d 7th ber 1678. "Majo^r Sauage: S^r yo^{rs} by yo^r son bearing date y^e 30th of August 78 I Rec from his hands this 3^d of Sep. had I Rec it as he came I should haue applyed my selfe to haue giuen you y^e particulars of all but it being y^e day y^e Court of Assistants is to sit & about one of y^e clock before I saw him, I must bee more breife, &c. But first I would signifie to you that Joseph Armitage came to mee as a messenger from yo^r selfe by word of mouth to signifie yo^r desire in p^t though not soe fully as yo^r writing by yo^r son, but I applyed my selfe soe farr to answer it as to deliuer him y^e acco^t of Barr Iron y^t I had deliuered first for m^r W^m Paynes use & secondly for m^r Jno. Paynes use in the very paper y^t I had written for my testimony at Salem & wrote & dd. to Joseph also a short note to yo^r selfe to signifie my willingnes on his message how true I knew not much more had I had a word from yo^r hand. y^t I know & respect soe well the day y^t he came & I wrote on y^e same & is dated & I doubt not but he will if he hath not already dd. you declares y^e date when hee then told mee you were to come to Lynn. on y^e 5^t of y^e weeke past & then s^r & each day after I expected to see you at Lynn but my expectation failed, but in y^t paper I haue giuen you an acco^t of the Barr Iron y^t both m^r payns had of mee: & now S^r for Hollow ware w^h you desire in yo^{rs} according to my short tyme, I haue looked into y^t acco^t & doe find y^t m^r W^m Payne had: 14 Ton 14 C 1 qr. 20li. of Hollow ware: besides Rod Iron & other Cast Iron &c as waight & backs & boxes & w^t else & all wrought ware. of these I haue not tyme to giue you an acc^t at this p^{rsent} & y^r desire is only Hollow ware. M^r Jn^o Payne had Barr Iron as I wrote in my paper y^t Joseph Armitage had w^h will describe to you y^e quantity. Now for Hollow ware according to yo^r p^{rsent} desire I find y^t he had dd. for his use, 7 Ton 9 C 14li. besides all other Cast Iron: in their seuerall kinds & wrought ware also. y^e full whereof with respect to both m^r paynes I haue not tyme at p^{rsent} to perform. And S^r whereas I haue written m^r W^m paynes Barr Iron 121 Ton I find this day as ouerleapt in one booke 12 Ton so hee had of mee 133 Ton

* Autograph.

of Bar Iron: And whereas you desire mee to send you word w^r m^r Webb or m^r Payne charged mee not to deliuer of y^e effects to you S^r I answer & must swear if called thereto y^t m^r Hutchinson & m^r Webb at my first comming hitherto: not to send any effects to you but as I might trade with you as with another man noe Owner & soe I did until m^r William Payne purchased: And after he purchased by m^r Hutchinsons Information of him: m^r Payne & Capt. Hutchinson together ordered mee not to send of y^e effects to you for one yeers tyme after his purchase. then you required yo^r fourth part & so m^r payne agreed thereto. Thus S^r I haue applied my selfe to answer yo^r desire as neere as I can in soe little a portion of tyme, begging pardon y^t it is not better done & more handsomely accommodated with paper; as is becommeth mee to you S^r but it is more large & tedious then I expected w^a I put my pen to paper & therefore for hast I bed yo^r pardon & rest. Only desiring y^t Justice & Righteousnes may take place & for yt end in my poore measure S^r I am yo^r assuredly to serue you to my poore but utmost Capacity in truth

“Oliuer Purchis.”*

Summons, dated Nov. 18, 1680, for the appearance of Samll. Apelton of Line, signed by John Fuller,* for the court and town of Lyn.

Oliver Purchis,* aged about sixty-four years, testified that Mr. William Payne, merchant in Boston, deceased, became an owner in Feb., 1657, when the forge and furnace were in a run down condition. There was a good stock of sows and Payne received in 1658, 77 Ton 9 C bar iron while Major Thomas Savage had but 28 C 1 qr. 20li. Deponent was ordered by Payne and Mr. Hutchinson not to send to Savage because he had received more than his part. Payne died in 1660, having received 131 Ton 13 C 1 qr. 8li., and afterward his son Mr. John Payne had his father's right and from that time to 1665 received 110 Ton 1 C 3 qr. 16 li. of bar iron. But his estate failing, the Iron works went to ruin, which deponent, as agent, repaired, and became much indebted which he always judged Payne's estate should have paid. The works depreciated daily and Mr. Jno. Payne was not able to supply or repair nor to pay him his salary. The works as they now are are of no great value. Sworn in court.

Oliver Purchis, aged about sixty-four years, testified that he was clerk of the old Ironworks at Lyn when Capt. Edward Hutchinson, now deceased, was agent for Mr. Webb, Mr. Ting, Mr. Sheafe, Major Savage, &c., before Mr. Wm. Payne owned any part of it, and all the sow iron and coals that were made before deponent went there were worked up and sent to Boston to Capt. Hutchinson, etc. Sworn in court.

* Autograph.

Mr. John Gifford v. Thomas Walter and Richard Midlecutt, attorneys or agents of John Wright, John Williams, Katheren Eaten, John Dodsworth. Review. Plaintiff, being in prison, was nonsuited.*

George Carr, sr., and James Carr v. Capt. Nicholas Page, assignee of Mr. Thomas Woodbridge. Replevin. Nonsuited. Appealed, with John Hoare and Thomas Putnam, jr., as sureties.†

John March v. Thomas Frame. Debt. Verdict for plaintiff, 4,000 red oak hogshead staves.‡

The town of Linn or their attorney v. Clement Coldum and Benjamin Redknap, constables. Nonsuited.§

*Writ, dated Boston, Nov. 23, 1680, signed by Nat. Barnes,¶ for the court and town of Boston, and served by Joseph Bridg-ha[m],¶ constable of Boston. Bond of Thomas Walter¶ and Joseph Webb.¶

†Writ of replevin, dated Oct. 30, 1680, signed by Robert Lord,¶ for the court and town of Ipswich, and served by Phillip Foulter,¶ deputy for Robert Lord,¶ marshal, by attachment of a ketch. Bond of George Carr,¶ James Carr,¶ Walter Taylor¶ and Richard Goodwin.¶ Wit: Anthony Somerby¶ and Phillip Foulter.¶

James Carr's bill of cost, 2li. 6s.

Letter of attorney, dated Nov. 27, 1680, given by George Carr, sr.,|| of Salisbury, shipwright, to his son, James Carr of Salisbury, shipwright. Wit: James Freeses¶ and Richard Carr.¶ Sworn, Nov. 27, 1680, before Daniel Denison.¶

‡Writ, dated Nov. 12, 1680, signed by Anthony Somerby,¶ for the court and clerk of Newbury, and served by Sammuell Foot,¶ constable of Amesbury.

John March's bill of cost, 1li. 19s. 9d.

Bond, dated July 14, 1680, given by Thomas Freame¶ of Amesbury to John March of Newbury, for 4,000 red oak hogshead staves, to be delivered at some convenient landing place below Hoolt's rocks on Merymack river side. Wit: Hugh March, sr.,¶ and Hugh March, jr.¶ Sworn, Nov. 29, 1680, before Daniel Denison.¶

§Writ, dated Nov. 19, 1679, for not giving account of several rates delivered to them to collect, signed by John Fuller,¶ for the court and town of Lyn, and served by Samll. Cobbet,¶ constable of Lynn, by attachment of the dwelling houses and lands of defendants.

Clement Coldom's and Benjamin Rednap's bill of cost.

¶ Autograph.

|| Autograph and seal.

John Elletrap v. Andrew Tucker, sr. Verdict for plaintiff.*

Mr. Daniell Epps and Mr. Harlackendine Symonds, administrators of the estate of Mr. Samuell Symonds v. Mr. Jonathan Wade and Mrs. Mary Symonds, administrators of the estate of Mr. William Symonds. Withdrawn.†

Mr. Harlackendine Symonds v. Mr. Jonathan Wade and Mrs. Mary Symonds, administrators of the estate of Mr. William Symonds. Withdrawn.†

Letter of attorney, dated Lyn, 29 : 9 : 1680, given by Thomas Laughton,§ Thomas Farrer,§ Henery Sillsbey,§ Francis Burrill,§ Robert Potter§ and Samuell Jonson,§ selectmen of Lyn, to Sergt. Andrew Mansfeild.

*Writ: John Ellathorpe v. Andrew Tucker, sr.; for withholding a debt due for a yoke of cattle; dated 20 : 9 : 1680; signed by Hilliard Veren,§ for the court and town of Salem; and served by William Beall,§ deputy for Henry Skerry,§ marshal of Salem.

John Elithrop's bill of cost, 3li. 5s. 6d.

Receipt, dated Sept. 25, 1680, given by John Elethorp§ to Mr. Andro Toker and John Pedrek, for 10s. in earnest for a yoke of oxen to be delivered yoked, being the same cattle which he bought of Philep Foulter. Wit: John Stasey§ and Joseph Emons.§

Humphery Deverix, aged about twenty-five years, deposed that he was desired by Andrew Tooker of Marblehead, when the Ipswich court was in session, to go to Philep Fowler's house to see the cattle. Tooker wished Elethroop to deliver them by the horn, but he refused. Sworn, Nov. 29, 1680, before Bartho Gedney,§ assistant.

Nathaniell Peese deposed. Sworn in court.

John Stesey testified. Sworn in court.

Nathaniell Roper, aged about twenty-seven years, deposed. Sworn, Nov. 30, 1680, before Daniel Denison.§

Thomas Wells deposed. Sworn in court.

John Knight deposed that Tucker owned he was to pay 6li. for the oxen. Sworn in court.

Phillip Foulter, aged about thirty-three years, testified that at Tucker's request he took the near steer by the horn, and said "mister toucker her is your catell, tack them," but Tucker said he would not meddle with them. Sworn in court.

†Writ, dated Nov. 24, 1680, for refusing to give an account, signed by Robert Lord,§ for the court and town of Ipswich, and served by Robert Lord,§ marshal, by attachment of two cows, five sheep and two calves.

†Writ, dated Nov. 24, 1680, for William Symonds not

§ Autograph.

Nicholas Manning v. John Browne, sr., and Hen. Bartholomew, merchant, overseers and feoffees in trust for the children of Robert Gray, late deceased. Review. Nonsuited.*

Nicholas Manning v. Joseph Plumer, sr. Nonsuited.†

Peeter Edgerton acknowledged judgment to Mr. Daniell Davison.‡

Jonathan Gatchell v. John Best. Verdict for defendant.§

paying him a legacy from his father, Mr. Samuel Symonds, in building for him the fourth part of a sawmill at Lamperele river, on account of a debt of about 65li. which William owed said Samuel, signed by Robert Lord,¶ for the court and town of Ipswich, and served by Robert Lord,¶ marshal, by attachment of two cows and five sheep.

*Writ, dated 23 : 9 : 1680, signed by Hilliard Veren,¶ for the court and town of Salem, and served by Tho. Ives,¶ constable of Salem, by attachment of the house and land of said Browne and land of Bartholmew.

Henry Bartholmew's bill of cost, 12s.

†Writ: Capt. Nicholas Manning v. Joseph Plumer, sr., of Newbery; for non-payment of 12li., to be paid in pork and corn, due for a servant sold him; dated 23 : 9 : 1680; signed by Hilliard Veren,¶ for the court and town of Salem; and served by Robert Lord,¶ deputy marshal, by attachment of the house and land of defendant.

Joseph Plumer's bill of cost, 10s.

‡Bond, dated July 28, 1680, given by Peter Edgerton¶ of Boston, brewer, to Mr. Daniell Davison of Newbery, merchant, for 18li., in payment for 120 bushels of malt received of Mr. Daniell Lunt in March, 1679. Wit: John Jacob¶ and Stephen Greenlef.¶

§Writ: Jonathan Gatchell v. John Best; for imprisoning him on an execution, although he tendered goods; dated 24 : 9 : 1680; signed by Hilliard Veren,¶ for the court and town of Salem; and served by Henry Skerry,¶ marshal of Salem, by attachment of land.

John Best's bill of cost, 15s. 6d.

Henry Skerry, marshal, and Moses Devrell testified concerning serving the execution, and that he attached a little old house, etc. Sworn, 26 : 9 : 1680, before Edm. Batter,¶ commissioner in Salem.

Benjamin Felton, prison-keeper in Salem, testified that Best put Gatchell in prison and ordered him to keep him until 16s. in money was paid. Sworn in court.

¶ Autograph.

Anthony Needham was fined for not prosecuting his appeal from the commissioners' court at Salem.

John Keene was fined for not prosecuting his appeal from the commissioners' court at Salem.

John Woolcot was fined for not prosecuting his appeal from the County court to the Court of Assistants.

Phillip Greely was fined for not prosecuting his appeal from Wm. Browne, Esq.

Court understanding that 10li. was still due to Mrs. Bradstreet, late relict and executrix of Capt. Joseph Gardner, deceased, as the remainder of what was due for court expenses, the marshal was ordered to pay it.

Benjamin Kimboll of Bradford was licensed to keep a public house of entertainment for strangers and other necessary uses, and to draw beer and cider.

Peeter Allexander and Sarah Roberts were fined for committing fornication.

Leift. Paule Thornedike, Joseph Dodg, John Balch, Mr. Daniell Epps, jr., and Robert Fuller took the freeman's oath.

Ann Neale, administratrix of the estate of John Neale, the younger, deceased, her late husband, brought in an inventory* amounting to 180li. 8s. Court ordered that the estate remain in the widow's hands for her use and the bringing up of the four children, as follows: to John, the eldest son, 40li., and to Thomas, Joseph and Rebecka, 20li. each at age or marriage; the remainder was for the widow. The land was given as security for the payment of the children's portions and the two bondsmen, Jeremiah Neale and Andrew Mansfeild, were released.

Ensign John Legg testified that he went with the marshal, etc. Lt. Richard Norman testified to the same. Sworn in court.

Samuel Gatchell, aged about forty years, deposed that he saw Jonathan tender a house which was worth double the execution, which he built and used as a shop for his business. Sworn, Dec. 2, 1680, before Edm. Batter,† commissioner in Salem.

Joseph Gatchell testified that the house was about thirteen feet long, with a leanto behind the house joined to it, and was properly built and groundselled. Sworn in court.

*Inventory of the estate of John Neale of Salem who de-

† Autograph.

Richard Starr and Susanna Starr, children of Robert Starr, were to have their father's house and ground formerly given them by a writing, equally divided between them, and court declared that they ought to have present possession.

Capt. Shuball Walker, one of the selectmen of Bradford,

parted this life Nov. 11, 1679, taken Nov. 24, 1679, by John Pickering* and John Norman:* one Fether Bed, Boulster, Bedstead & Curtains, 5li. 5s.; two Rugs, Two Blanckets, 1li. 14s.; one Trundle Bedstead, two Blanckets, one Rugg, 1li. 12s.; Flock Bed, Boulster, 2 Blanckitts & one Rug, 2li. 10s.; 3 pare of sheets, one single sheet, 35s., 2 pr. of trundle-bed sheets, 12s., 2 Blanckitts, 12s., 9 Napkins, 2 table Cloaths, 2 pillowbears, 10s., 3li. 9s.; one ould pine chest & two Boxes, 5s.; wearing Apparrill, 50s., one Box, 3s., 2li. 13s.; one Smoothing Iron & heats, 2s.; Bookes, 5s., puter & earthen ware, 6s., 13s.; a pare of compasses, a Rule, a Gimblet, 1s. 6d.; Rapier, 10s., Brass kettle & 3 Iron pots, 30s., 2li.; frying pan, chaffin dish, skellet, Churne, pails & Lumber, 15s.; Cradle, cheares, table, fire shovell & a pare of touns, 16s.; dripping pan, candlestick, spoones & tynn wares, 3s.; Looking Glass, shoee Lether & shoee nailes, 10s.; Beife in the powdering Tub, 20s., corne, 40s., 3li.; 2 mares, 3li. 10s., 2 oxen, 6li. 10s., 2 Cowes, 4li., 14li. A parcell of Land caled Tucks feild, in estimation 4 Acres or neare uppon, which is his at his mothers death, 70li.; ten acres called Harburds lott, 30li.; His pte of the swamp caled Adams swampe, 5li.; An ould Cart & wheels & a sett of hoops & boxes for cart wheels, a pare of Boxes for one wheele & a slead, 2li.; An Axe, Ads, Mall, two Augurs, 16s.; 6 Ring boults, 5 set Boults, a caucking iron or two, 12s.; Haye in the Barne, 9li., Tallo, 5s., 9li. 5s.; 15 swine & a wheele, 8li. 8s., one eight part of the sloop John & Marye, as monye, 34li. 15s. 10d.; one Iron Kettle, 4s., pare of fetters & locks, 5s., ould Iron, 9s., 18s.; due to him as a Legacye to bee paid him by his Brother Johnathan Neale, by his Grandfather Francis Law's will, within foure years after his mother's death, as appears by sd. will, 20li.; total, 221li. 10d. The estate is Debtor, 52li. 10s., 18li. of it being to be pd as monye; more debts, 5li. 4s.; the estate is Debtor in monyes, 11li.; total, 67li. 14s. Due to the estate as monye, 27li. 1s. 3d.; making total estate, 248li. 3s. 1d., with debts 67li. 14s. subtracted, leaves a free estate of 180li. 8s. 8d. To the eldest son John, 40li., to Thomas, Joseph and Rebecka, 20li. each, the rest of the estate to the widow.

Ann Neale's* petition.

* Autograph.

presented a writing to the court in behalf of the town under the hands of the selectmen of Ipswich, informing the court that Mr. Tho. Smith and his wife of Ipswich had come into their town contrary to order, and having warned the persons who entertained them not to do it, likewise to said Smith to depart, yet they abide in the town still and liable to be a charge to the said town, court ordered that the caution be entered.*

Complaint being made by the selectmen of Newbery that there are several persons come into town who are not inhabitants, and who continue to reside there although warned, court ordered the caution to be entered.†

Mary Pearce chose Samuell Pearce, her brother, to be her guardian, which the court allowed.

Samuell Pearce was appointed administrator of the estate of Robert Pearce, deceased, and was ordered to bring in an inventory to the next Ipswich court.

The petition of Mrs. Elizabeth Endecott that her son John be joint administrator with her upon the estate of Mr. Antipas Newman, her late husband, was granted and her son John was not to act except by advice of Mr. Richard Wharton or Mr. Daniell Epps, sr.‡

*Petition of the selectmen of Bradford, Shu. Walker,§ John Simmons,§ Joseph Baly,§ Joseph Palmar§ and William Huchence§ that they be returned to Ipswich.

†Complaint of Daniell Peirc,§ Richard Dummer,§ Anthony Somerby§ and Peter Cheney,§ selectmen of Newbury, against Timothy Collins and his wife, "who impose themselves upon us, & notwithstanding due warning given unto them & the sayd Collins hath sufficient livelyhood of his owne about black point for his maintenance, yett they will not take notice of it but continue to abide in the towne contrary to our liking." William Smith had also been ordered to depart, and they ask that they "might not be burdened with so undesirable a person."

‡Petition of Elizabeth (her mark) Endicott: that she found herself incapable of managing so great a business as the administration upon the estate of her late husband, Mr. Antipas Newman, of Wenham, and asked to have her eldest son John Newman, who was then of age, joint administrator, etc.

§ Autograph.

It was ordered that a warrant be issued for the apprehension of — Davis of Linn.*

Thomas Russell, complaining against Robt. Sweate for striking and abusing him, was bound to the court for prosecution against him.

Richard Flinder, Walter Whitford, Joseph Williams, Jonathan Pickering, Symond Booth, Ephraim Kempton, Samll. Veye [and John Lambert, sr. — *Waste Book*.] were sworn tythingmen for Salem.

John Johnson acknowledged judgment to Mr. Jonathan Corwin to be paid in pine boards at Salem or Boston.

Patience, relict and administratrix of Isaack Goodell, deceased, moved for a settlement of her husband's estate, informing the court that much of the estate is spent since the inventory was brought, 27 : 9 : 1679, into the Salem court. Court, understanding that there were five children, ordered that the eldest son should have 12li. and the others 6li. each at age or marriage, and the rest of the estate was to be for the sole use of the widow and bringing up of the children, the land to be security for the children's portions.

John King, presented for retailing strongwater contrary to law, and, confessing, was fined. Court ordered that if he paid down 50s. in money, the other 50s. would be respitted, and he was given liberty to retail what liquor there was in his house, which was about one barrel.†

*John Davis of Linn, for uncivil carriages to his neighbor's wife, Sarah Linsey, wife of Eleazer Linsey, in the evening when her husband was out of town, so that she was obliged to call her brother Hugh Alley to get him out. Then he came again, there being no lock on the outer door, but she fastened herself in to her bedroom. Wit: Sarah Linsey and Hugh Alley. The wife of said Davis was presented for breaking her husband's head with a quart pot and otherwise abusing him.

†Salem presentment. Hugh Jones, John Horne and one of John Small's servants, either William Wakfield or Anthony Carell, owned that they bought liquor there and paid for it.

John King's petition: that three years ago, he had the approbation of forty or fifty of the neighborhood to sell liquor by retail, as Mr. Thomas Gardiner, sr., formerly had, and supposed he was at liberty to supply the neighborhood in their necessity, etc.

Court ordered the County Treasurer to pay Thomas Thurlo 15li. for his charges about the bridge at Newbury, and if this was not satisfactory, that he might appeal to the next Ipswich court.*

Mr. Gedney, Mrs. Ellenor Hollingworth, Mr. Ridan and Capt. Marshall had their licenses renewed.

Abigaile Sibley, for fornication with Thomas Cooper, was sentenced to be severely whipped or pay a fine.†

John Mashoone dying intestate, William Shaw and John Mason were appointed administrators of the estate, and brought in an inventory.‡

Timothy Day, for fornication before marriage with Phebe, his now wife, was fined. His wife, not appearing, was ordered to appear at the next Ipswich court.

*Anthony Somerby,§ town clerk of Newbury, certified that the town had paid for repairing the bridge over Newbury river in 1678, to John Hale, 1li. 4s., to John Noyes, 18s., and to Francis Tharley, 1li. 5s.

†Salem presentment.

‡Inventory of the estate of John Mashon, taken by Thomas Flint§ and John Cooke:§ one bead, ruge and two Blankets, 15s.; two shurts, 6s.; Remnant of Cloth, wastcoat and two necloths, 3s.; two necloths, a cape, strip of Cloth and a pair of draws, 1s.; A looking glass, 3s.; fouer axes, one hatchett, 15s.; fouer wedges and a pair of betell rings, 6s.; one handsaw, 1s.; a smale Case, 2 sisers & Rasior, 4s.; glase bottle & thre dusen of haire bitons, 1li.; a peise of a fishing Line, a paire ould stoking & a pair of shears, 2s. 6d.; a hundred of hobnails, 3d.; hammer, pincher & gimlet, 2s. 6d.; cloves, mace & paper, 1s.; pair of brase Compasses, 1s.; horse furniture, 8s.; a leather bage and bread, 7s.; cheast and Runlete, 5s.; ould thread bare Cloak, 2s.; total, 4li. 4s. 9d.

William Shaw's charges about the business of John Meecham, deceased: to Richard Croade, as per his note, 9s.; 1 qrt. of rum, 1s.; Hugh Joanes, for his time about said Meecham's business, 5s.; bringing down ye pay to Salem, 1s.; to a winding sheete, 10s.; to John Baxter for 6 foote of wood p sd meechams order, 6s.; to my Tyme & paines about ye sd occasion, 5s.; total, 1li. 17s.

On 12 : 7 : 1680, William Shaw, Dr. to Ric. Croade§ for expense on the jury that sat upon John Meechan's case and other charges at Croad's house, 9s.

§Autograph.

Court allowed constable Ives for charge about the Maning's, 5s., and 2s. for a man impressed to go over the ferry. John Horne, as tithingman, was allowed costs in witnessing against John King.

To the servants of the house, 12s.

Anstis Maning, widow, and Jacob Maning, gunsmith, were bound for the appearance of said Anstis's daughters, Anstis Maning and Margerett Palfree, either at the next Ipswich court or the Court of Assistants, upon suspicion of the crime of incest, in which their brother Nicholas Maning was involved.*

Court ordered that some meet person be appointed to divide the land in the inventory of William Flint, deceased, for the peace of all concerned.

John Legg, Richard Knott, Mr. Ed. Batter, Capt. Geo. Corwin, Capt. Price, Mr. Browne, sr., Mr. Jo. Hathorne, Mr. Bar. Gedney, Mr. John Ruck, Ambross Gale and Mrs. Turner were granted licenses for retailing strong water.

Richard Croad, Mr. John Gedney, Ellenor Hollingworth, Mr. Thaddeus Riddan, Capt. Tho. Marshall, Mrs. Hathorne of Linn and Mr. Daniell King had their licenses renewed for keeping ordinary.

The will† of John Hill was proved upon oath of Jeremiah Neale and Samuell Nurse, and an inventory was allowed.

*Salem presentment. Wit: Elizabeth Waters, Anne Killigrove, the wife of John Maskall, sr., the wife of John Prist and the wife of Joseph Allen.

†Will of John Hill,† dated July 29, 1680, "haueing bene for a long space of time ill & out of order: I giue to my two sons John & robert may 40 akers of land lying up in the woods by Samuel Cutlers to bee deuided equally betweene them. 2 I giue to John Hill all the land I haue in the pound meddow & that which I haue in cookes medow I giue to robert 3 I giue to my foure daughters Miriam Susan Liddia Elizabeth each of them a cow & fue pound a peice besides to the two eldest to bee paid in some short time after my decease as soone as conueniently may bee, to the two youngest when they come of age 4 I giue to my wife all the rest of my estate to bee inioyed by her without any interruption or molestation during the time of her life & at her decease to bee at her sole

† Autograph and seal.

Mr. Wade presented an inventory* of the estate of Mr. William Symonds.

disposing (as shee may see good) to my children. & further my will is that in case my beloued wife shall see caus to sell any part or the whole of that estate giuen her she shall haue full power at the eand of her life to despos of what she shall haue left as aboue said I apoint my wife my executor of this my last will & testament." Wit: Jeremiah Neale† and Samuell Nurs.†

Inventory of the estate of John Hill taken, Nov. 20, 1680, by William Traske† and John Traske,† and brought in by Liddea, the widow: one Dwelling House & Orchard and Barne with other oute Housing, 100li.; 3 akers of upland lying in the Glass house feild, 10li.; Halfe an aker of salt marsh lying at forrest River, 4li.; A parcell of fresh Meddow lying by ye Great Rv^r, 10li.; 40 Akers of upland lying neere Samuell Cutlers, 45li.; a five Aker Lott in ye Northfeild, 15li.; 3 quarters of an aker of Marsh lying neare the hill called Gardners Hill, 12li.; 3 Cowes, 9li., on Steare, 3li., a young Cattle 2 yers and ye vantage, 4li., 16li.; 2 young cattle a year & Halfe ould, 2li. 10s.; 3 calves, 2li., 2 mares & 3 colts in the woods if living, 3li., 5li.; parcell of swine Runing in ye woods, 4li.; fetherbed and all belonging to it, 8li.; fetherbed in ye Little Roome & wt belongs to it, 7li.; one Trundlebed and what Belongs to it, 4li.; one Bed in ye Chamber and wt Belongs to it, 6li.; one Cubbard in ye Chamber, 12s., Tooles, 2li., 2li. 12s.; A Cubard in ye Great Roome, 16s. & one in ye Little Roome, 1li. 10s., 7 cheares, 14s., one table & 3 stooles, 3li. 10s.; eight paire of sheets, 6li., 2 Table Cloathes, 12 Napkins, 8 Towells, 2li., 8li.; 4 paire of Pillowbeares, 20s., 2 wenscot Chests & 2 Boxes, 26s., one Gun, 20s., peuter, 2li. 10s., 5li. 16s.; 3 skelletts, 10s., 5 Brass Kettles, 3li., 3 Iron potts and one kettle, 25s., earthen ware & Glasses, 6li. 5s.; one warming pan & a paire of Doggs, 15s.; 2 Hakes, 8s., one spitt, 2s. 6d., 2 paire of pott Hooks, 2s., 12s. 6d.; one fire shovel Tongues & fire slice, 7s.; one frying pan, 3s., one little Table, 3s., 6s., one Lanthorne, 2s., smoothing Iron, 2s., 4s.; his wareing Cloathes, 8li., one Looking Glass, 2s., 8li. 2s.; ould chests, cradle and sum ould Lumber, 12s.; flax & wooll, 12li., home made cloth wolling & Lining, 4li., Sarge and other Eng. goods, 5li.; one Grenston, one hors cart & saddle, 6li. 18s.; Bookes, 10s.; total, 300li. 6s. 6d. Due to the estate in Debts, 5li. The estate is debter to seuerall men, 1li. 10s. More added to this inventory, 7 : 10 m. 1680, by Lidea, the executrix, in cash & goods, 9li.

*Inventory of the estate of Mr. William Symonds, who

† Autograph.

died in Ipswich, May 26, taken July 8, 1679, the most part and as it could be more added, by Edward (his mark) Bragg and Robert Kinsan* and brought in by Mr. Jonathan Wade: his wearing apparell woollen & linen, 11li.; Argilla farme containeing thre hundred acres thereabout more or lesse, 1500li.; houses & barnes & outhouses upon the farme 200li.; twentie two acres of English & Indian corne grene, 30li.; about twelve acres of marsh & a little upland about wellses, 50li.; 6 acres more of marsh there to the use of Mrs. Martin during her life, 12li.; the house & about twentie rod of ground at towne, 10li.; 1 sow & 8 shoats in the woods, 5li.; 10 cowes, 36li., 7 oxen, 35li., 8 2 year olds, 16li., 87li.; 3 horses & a colt, 8li.; 1 stear 3 years old, 50s., 2 heifers, 6li., 8li. 10s.; 1 bull, 55s., 6 yearlings, 8li., 1 heifer 4 yr. old, 3li. 10s., 14li. 5s.; 3 yoaks, 3 chayns, 1 cart & tackling, a paire of wheels halfe worn, 1 spanshackle & 1 new tumbrell, 3li. 6s.; 42 sheep & 21 lambs, 22li.; 4 old axes, an old adds, 1 paire fetters, 1li.; 2 old sithes & tackling & 3 rakes, 9s. 6d., 3 forks, 3s., one dung forke, 3s., 6s.; handsaw, a bushel, an iron winch & a cowle, 12s.; paire of harrows, 20s., an Iron wedg, 1s., 1li. 1s.; good peuter 78li. at 1s. 4d. pr. li., 28li.; old puter at 12d., 6li., 6s.; flaggon, 6s., beetle & wedges, 6s., 12s.; old hoops & boxes for wheels, 10s.; 2 hooes & a spade, 12s.; 2 parcels of old iron, 40s.; 2 frying pans, 13s., 2li. 13s.; a servant boy for 2 years, 5li.; a cosslet & hed piece old, 1li.; 126li. of timber chaine, hooks & ring, 4li.; 5 strakes for a cart tire, 48li. old & rusty, 1li.; a heckle, 4s.; 4 chests & 3 boxes, 1li. 15s., 1li. 19s.; more old iron & an old churne, 5s.; hollen earthen ware & other small things, 7s.; cushins & peices for cushins & remnants, a bible, 2li. 3s.; flax tear, 3s., 2 wicker baskets, 3s., 6s.; small table linnen & other old linnen, 7s.; bed linen & table linen, 6li. 9s.; carpet, 20s., blanket, 10s., 1li. 10s.; a bed, rug & blankets, 4li. 5s.; an old pistol, 3s., paire curtains & vallence, 22s., 1li. 5s.; rugs, bed bolster & sheet, 6li. 16s.; other bedding, 1li. 10s., 3 paire keards, 7s., a bottle & oyle, 3s., 2li.; old rug & blanket, 1li. 2s., 2 old chests, 8s., 1li. 10s.; 3 old barrills, 4 bush. 1-2 of malt, 5li. of hops, 1li. 6s.; 12li. cott. wooll, 16s., trundlebedstead & rope, 5s., 1li. 1s.; a great kettle & an old little kettle, 2li. 15s.; 2 skilletts, 10s., 2 iron potts, 17s., 1li. 7s.; paire of cobirons, spitt & a drippin pan, 1li. 4s.; an old chest, 2s., 5 trayes, 5s., 3 chayers, 8s., 15s.; hoe, 3s. 6d., tramills, 9s., 2 payles, 5s., 17s. 6d.; dishes, cheese moles, 4s., tub, 5s., 2 grind stons, 16s., 1li. 5s.; bridle, saddle & pillion, 20s., barrills & earthen ware, 20s., 2li.; 3 spinning wheels, 12s.; 4 acres of salt marsh neere Mr. Epps Island, 12li.; 20 acres or thereabouts more or lesse at the Pequid lotts of upland, 50li.,

*Autograph.

18 acres of meddow at or about ye west medows, 36li.; 3 cowes from Nickles Wallis, 9li. 15s.; a cow from Matt Perry, 4li.; a smoothing box iron & 3 heaters, 4s. 6d.; trenchers & spoons, 5s., earthen ware, 3s., 8s.; 3 red curtains & vallance, 1li. 5s.; a clock, 5li., Andirons, 20s., 6li.; green curtains & vallance, 3li.; a plaine cubbord & cubberd cloth & 3 old stools, 10s.; a Sute of damaske very old, 4li.; a copper cann, 11s., a cosslett, 40s., 2li. 11s.; 12li. more of cott. wooll, a marble morter, 15s., 1li. 11s.; a bell mettle morter & pestle, 10s.; paire of brasse scalles & waits, 7s., a beam & scales, 10s., 17s.; paire of stillyards, 1li., a great copper, 8li., an iron pott, 8s., 8li. 8s.; cheese presse, 10s., malt mill, 10s., 1li.; 3 turkie work cushins, 12s., 4 lether chayers, 20s., 1li. 12s.; musket, 28s., sword & belt, 15s., 2li. 3s.; couth chayer, 15s., a great chest, 15s., 1li. 10s.; a great chayer, 3s., a cabbinett & an old hatt, 25s., 1li. 8s.; fetherbed, boulster, rug & bedsted, 4li., cloth dublet & hoas & old cloth cloak, 2li. 5s.; a haire camblett cloke, 5li.; black cloth cloke, 40s., a wosted cote, 40s., 4li., a black tunick, 50s., a bayes gown & old briches, 20s., 3li. 10s.; 2 payer of boot hoas tops & a paire silke gloves, 10s.; fetherbed, old rug, & blancket & coverlid, 5li.; flockbed, blanckit, rug, bedsted & old sheet, 2li. 6s.; in plate 1li. 3-4 haverdepose waite that is in troy waite 25 ounces 1-8 1-32 at 6s. per oz., 7li. 11s.; in money, 18li. 9s.; paire of racks, 14s., 1 paire tonges & firepan, 3s., 17s.; books, 5li., gridiron, 5s., riddle sive, 1s., 5li. 6s.; spitt & tramill, 10s., a cubbard, table & froe, 18s., 1li. 8s.; woollen yarne at the wevers 38li., 5li. 14s.; sheeps wooll 168li. part pelt wooll the rest fleece wooll, 12li. 7s.; a tin lamp, 1s., brass skellet, 8s., wooden ware, 15s., 1li. 4s.; earthen ware, 2s. 6d., a brasse kettle & pott hooks, 10s., 12s. 6d.; Tub & tray, 3s., old iron dogs, 1s., 2 earthen pots, 6d., 4s. 6d.; snuffers, 6d., chafin dish, 9d., riddle, 1s., 2s. 3d.; Indian corne about 8 bush., 1li. 4s.; a phisick book, 6s.; due from Nickles Wallice, 55li. & 55li. & 20li. of which there is 10s. paid as remains 129li. 10s.; due from George Stimson, 1li. 15s.; a farme at Wells about 300 acres, 600li.; 5 acres 1-2 of meddow bought of Wadly, 16li. 10s.; 1-4 pt. of a place for a saw mill with land & meddow & other necessarys, 200li.; other land not yet knowne & therefore not yet valued, horse kind runing in the woods nere Wells, 3li.; cattle at Wells, 6 cowes, 21li.; 1 bull, 1 stear, 3 yeare old, 6li.; 2 bulls 2 yeare old, 4li., 1 heifer 2 yeare old, 2li., 6li.; 6 steres 2 yeare old, 12li., 2 calves, 1li. 10s., 13li. 10s.; 6 cowes, 21li., 1 bull, 1 stear 3 yere old, 6li., 27li.; 2 young oxen, 8li., 9 yearlings, 13li. 10s., 21li. 10s.; 6 calves, 6li.; Iron ware at Wells, 3li.; debts due to the said estate as appears by writeings from Francis Backhous 4100 C. mrch. boards payable at Boston at 4s. per, 8li. 4s.; from Henry

Mr. Daniell Epps, sr., administrator, presented an inventory* of the estate of Samuells Symonds, Esq., late Deputy Governor, deceased, and declared that there were several hundred pounds worth of the estate that he did not have in his possession, of which he would later make return. He said that there was a mistake in addition, as the total now stands.

Hobs in money, 9li. 15s.; from Abraham Collens in money, 2li. 5s. 6d.; Abraham Collens in beife, 5li.; Abraham Collens in porke, 5li. 4s.; from William Soyer, 2li. 10s.; Thomas Avory by bill, 11li. 10s.; most of these Debts above mentioned are desperate debts; total, 3,359li. 9s. 3d. There are also severall other both debts & Credit whose accounts are not yet cleared. The estate is debtor to funerall expences of Samuel Symonds, Esq., late deputy governor, 37li. 18s. 4d.; also debtor to funerall expences of Mr. William Symonds, late of Ipswich, son of Samuel Symonds, Esq., & executor to his estate 18li. 18s. 4d.; also Dr. to Mr. Harrison or his assigns a sum; Dr. to Mr. Eliakim Hutchinson 21,100 M mrch. pine boards payable at Boston; to Mr. Thomas Andrews in money, 8li. 9s.; and to severall others not yet certainly knowne. This estate is also debtor to Mrs. Rebecka Symonds, relict of Samuel Symonds, Esq., deceased, and also to Mrs. Epps and to Mrs. Martin and Mrs. Emerson and to severall others as it is expressed in the Will of the said Samuel Symonds, Esq., only what they or any of them have received to be deducted.

*Copy of an inventory of the estate of Samuel Symonds, late Deputy Govr., delivered to Robert Lord,† marshal, and Daniell Epps† and Harlakenden Symonds,† administrators, by judgment of the General Court at Boston, Oct. 15, 1679, upon execution, by Mr. Rawson: the Possession of all the Houseing and Lands that are now extent and that the sayd Samuel Symonds died possessed of viz^t Argilla farme & houseing, the marshes beyond Wells his Farme towards Castle hill, the House at Towne & about twentie rodes of ground with it prized at ten pounds, The wholle lands & houseing prized at 1,772li.; Sheep, twentie-seven, 12li.; 50 loads of hay, 37li. 10s.; 12 coves, 47li.; 8 two year olds, 16li. 10s.; six young cattle come two year old, 12li.; seven oxen, 37li.; one 4 year old bull, 3li.; 200 acres of upland and marsh at Lamperlele river, 130li.; part of 1,000 acres of land at Coxwell by Wells, 6li.; a clock at 5li.; payre of Andirons, 1li.; one horse at 3li. 10s., a coult, 1li.; 3 red Curtaynes and vallins, 1li. 5s.; 5 leather chairs, 1li.; Green Curtens and vallins, 3li.,

† Autograph.

and a sute of damask, 4li.; 4 turkey worke Cushins, 12s., a playne Cubboard, 3 old spooles, a cubboard cloath, 1li. 2s.; a catch chayre, 15s., a great chest, 15s., a chayre with armes, 3s.; a Cabbinet and two old hatts, 25s.; books, 5li., Cloathes remaining of Samuel Symonds, Deputy Govr., 15li. 5s.; The bedsteads & beding, coverlids, Ruggs, blanketts, sheet, 11li. 6s.; Sheeps wooll, 45li., 1s. 6d. p li., 3li. 7s. 6d.; a musquit, 28s., a sword & belt, 15s.; an old sow and 8 hoggs, called spring shoats, 12li.; a great Copper, 8li.; a payre of stillyards avidpovyres, 1li.; 30li. of pewter at 1s. 6 p li., 5li. at 1s. p li., 12 1-2 more of pewter at 1s. 4d. p li., 3li. 1s. 8d.; a bell metle mortter & pestle at 10s., a brass payre of scalles & waytes, 7s.; a wooden beame & scalles, 10s.; an Iron pott, 8s., a chees press, 10s., a quarne milne, 10s.; a payre of harrows, 1li., a payre of Iron racks, 14s., a payre of tongs, 3s., firepan, 1li. 17s.; a gridiron, 5s., frieing pan, 8s., a spitt & tramel, 10s., a Cubboard table & foarme, 1s. 8d., 2li. 1s.; a tin lamp, 1s.; a brass skillet, 8s., a brass kettle & pott hookes one payre, 10s.; cattle belonging to the farme in the hands of Daniell Epps, sr., 22li.; a Copper can, 11s., a Costlet, 2li.; a new tumbrell making & boards & nayles, 20s.; a marble mortar, 20s., a carte rope, 8s.; 9li. 1-2 of Cotten woole, 1s. 6d., p li., 12s. 8d., barreles, tubs, keelers and other vessells in the sellar, 1li. 18s.; Tubbs, bowle, sives & other small instruments of wood, with two sacks, 1li. 7s. 6d.; a winch and Iron ax tree for a grindstone, 3s., two shovells, 3 howes, forkes & raecks, 1li. 6s. 6d.; 3 yoakes with the Irons belonging to them & spanshakell & pin, 14s.; 3 chaynes, 7s. p chayne, 1li. 1s.; The carte & wheeles Irons, hoops, boxsses, lins, pins, washers, & axe nayles, 1li. 15s.; an other payre of wheels with Irons belonging to them, 2li.; a broad axe & narrow axe at 8s.; total, 2,103li. 6s. 10d. 18 lambs prized at 6li., 5 calves, 3li., English and Indian corn at 30li., in the Inventory taken July 2 last, which we leave to be disposed of by Mr. Wade and our sister, William Symonds his relict, to be accounted for amongst other accounts, which when made up, what doth remaine shall run on upon the account of the single share to her selfe for her children. The acct. of particulars above the six lower lines was delivered unto us Daniell Epps & Harlakenden Symonds p order of Richard Martine by Robert Lord, jr., marshal, and these six lynes also read to our sister Symonds, Robert Kinsman and Samuell Ingalls being present, on Nov. 12, 1679. Recorded in the records of the General Court, page 254, at request of Mr. Epps and Mr. Harlakenden Symonds, on Dec. 4, 1679, by Edwd. Rawson,* Secretary.

* Autograph.

On 16:6:1680, The Worshipfull William Browne and Bartholmew Gedney, Esq., assistants, appointed Hanna, relict of Joshua Ward, administratrix of his estate, and ordered her to bring in an inventory to the next Salem court. This appointment was confirmed by this court and she was appointed guardian of her children by Joshua Ward.

Hanna, relict of Joshua Ward, brought in an inventory* amounting to 163li. clear estate. Court ordered to Miles, the eldest son, 32li., and to the rest of the children 16li. each, at age or marriage, the whole estate to remain in the widow's hands for the bringing up of the children.

An inventory† of some estate in land, of right belonging to Joshuah Ward, the younger, was brought in and Hanna, the mother of said Joshua, was appointed administratrix of the estate. The land was appraised at 30li., of which Miles, the son of Hanna and brother of Joshua, was to have one-half, and the rest of the children of Hanna, the other half among them.

Thomas Patch was appointed administrator of the estate

*Inventory of the estate of Joshua Ward, taken Nov. 30, 1680, by Joseph Hardy, sr.,† and Samll. Gardner, sr.:‡ one Dwelling howse and land, 100li.; one cowe, 2li. 5s.; one fether bed, bolster, bedsteed and furniture thereunto belonging, 8li.; one trundell bed, one pillow, two blanketts thereunto belonging, 5li.; one fether —, 4li.; his wearing clothes, 10li.; 18 yds. of searge, 2li. 9s. 6d.; —, 12s. 6d.; 6 pr. of sheets, 3li.; 5 pr. of pellobears, 14s.; board cloth, & towells, &c., 11s.; 6 yds. of Dowlas, 12s.; 2 yds ticken, 5s.; A sea chest and —, 1li.; his Armes, 1li., A waynscot chest and boxe, 1li. 10s.; 5 peces of pewtere, 16s.; brase kettells, stue pane, skellet & warming pan, 2li. 5s.; household Iron, 1li. 5s.; coubard & boxe, 2li.; in pleat, 2li. 15s.; in mony, 4li. 16s.; chests, chayars & such licke, 1li.; earthen, glass and ten weare, 12s.; a Remnant stufe and genting, 1li. 10s.; psell of Cotten wooll, 5li.; Iron Toolls, 10s.; total, 163li. 18s. Debets due to ye Estat about 15li. Debets due from the estate, about 13li.

†Inventory of the estate of Joshua Ward, son of Joshua Ward deceased, who died intestate, taken Dec. 2, 1680, by Jeremiah Neale† and Samll. Shattocks, jr.:‡ one ten ackre lot lying in the South feild wch said Lot was given him by his grandfather Flinte, 30li.

‡ Autograph.

of Edmond Patch, deceased, and brought in an inventory.* There being two grandchildren, Edmond Patch and Abraham Patch, sons of Abraham, son of said Edmond Patch, the said grandchildren were to have the estate divided between them when they come of age.

The will† of Bridgett Gile was brought into court and sworn to by Mr. Henry Bartholmew.

*Wenham, May 15, 1695 to Capt. Sewall, an addition to the inventory made by Thomas Patch,‡ administrator of the estate of his uncle, Edmond Patch, who lived in Ipswich and died there Nov. 10, 1680: about half an acre of Bushshe meadow ajoyning to Samuell Dodg his land & too Curtain Rods allone aprized at 2s. 4d., dew from John Knolton 2li. 10s., and I have received it of him. Dew from the estate: for diging the Grave and coffin, 9s.; to Capt. Fisk & myself by the Court order, 1li. 10s.; to me upon former account for work done, 10s. 9d. and now dew to me for about 15 years administration, 1li. 10s. "paper is scarce."

Bond, dated Feb. 20, 1673, given by Edmund (his mark) Patch, living in Ipswich, to Richard Dodge of Wenham and Samuel Dodge of Ipswich, that he would not sell any of the estate in his possession without their consent, until the next Ipswich court, "being sensible of my owne weakness Least I should be cheated by any person for the security therof for myselfe and my daughter in Law and the children." Wit: Richard Walker‡ and Samuell Frayll.‡

Inventory of the estate of Edman Patch, who departed this life, Nov. 10, 1680, taken Nov. 19, 1680, by John Dodge‡ and Richard Hutten:‡ 3 peses of old putore, 6s.; an old brase Candellsticke, 3s.; & old brase scellete & a smoothing eiron, a letell pote, 4s.; the great eiron pote & pote hoocks, 12s.; a small speete & a trevet, 5s.; an old winescote Chest, 3s.; another winscote Chest, 8s.; a borde Chest, 1s. 6d.; a Coborde, 5s.; tramell, 5s. 6d.; an olde Rouge and a blancete, hate & Cote, 5s.; fether pello, 4s.; a testamente, 1s. 6d.; total, 3li. 3s. 6d. Due to the estate from John Knowlton being the remainder of his purchas, 2li. 10s., Thos. Fiske,‡ Thomas Patch.‡ The estate debtor for diging of the grave & makeing of the Coffin, 9s.; to ye agents Tho. Patch & Tho. Fisk, 1li. 10s.

†The will of Bredget Gyles‡ of Salem, widow, dated 14 : 11 : 1668: "Imprimis I giue to my Son Samuell Very twentie Shillings It. I giue unto My Son Thomas Very twentie Shillings It I giue unto Mary Cutler of Redinge the Wife of

‡ Autograph.

Naomi Lovejoy was appointed administratrix of the estate of her late husband, and brought in an inventory* which was allowed.

On Oct. 13, 1680, the Honrd. Major Genrll. Daniell Denison, William Browne and Bartholmew Gedney, Esq., assistants, appointed Elizabeth Turner, relict of John Turner, administratrix of his estate, and she was ordered to bring in an inventory to the next Salem court. This court allowed and confirmed it.

Inventory† of the estate of Mr. John Turner, amounting to 6,788li. 17s. 11d. was brought in. Court ordered the whole

Thomas Cutler fortie Shillings It I Giue unto Briegett Very the Daught' of My Son Thomas Very a Cowe to be Due to her when she shall be Eightene yeares of age or at the tyme of her Mariage It I Giue unto my Son Eliazer Gilles one ten aker Lott which sometime Belonge to Goodman Ad-dams of Nuberie of whom My Husbond bought it & I Giue unto him all My Meadow on both sides the Brooke to begin at the stump that doth part his Uplande and Mine & from that stump to Run over the Brooke to the Bound tree of the ten aker Lott aboue Menshoned Al my Meadoe be lowe that line I Giue to him p'ouided & my will is that he pay unto Mary Cutler that fortie shillings I haue giuen her in this My Will And for the Remainder of My estate howsing Land Meadow ground Cattle househoulede stuffe & what euer elce Doth any way belonge or Aprtaine unto me I Doe giue & bequeathe unto My son John Geiles home I ordaine & apoynt My sole executo'." Wit: John Browne† and James Browne.†

*Inventory of the estate of John Lovjoy, jr., who died July 14, 1680, taken by Richard Barker, sr.,† and Joseph Ballard:† one house & a crope of corn, 20li.; one hors., 4li.; one steer 4 years old, 4li.; one cow & a year old heifer, 5li. 5s.; swine, 2li.; one carbine, 10s.; wearing apparrill, 2li.; flax, wooll & yearn, 16s.; one bed & Beding, 5li.; in lumber and Toolles, 1li. 6s.; one iron pott, frying pan and one brass skillet, 12s.; one old saddell and an old Bridle, 6s.; total, 45li. 15s. The depts that doe allredy apere amounts to 29li. 14s. 7d. The debts yt doe since appeare due from the estate is now, 3li. 4s. and heare is 3li. 16s. 9d. of it in mony.

†Inventory of the estate of Mr. John Turner as it is now found in the hands of Mrs. Elizabeth Turner, widow, taken by Wm. Browne, jr.,† John Price,† Thomas Gardner, jr.† and John Hathorne:† Sundry goods & merchandize amount

† Autograph.

estate to remain in the hands of the widow for the bringing up of the five children, one of whom is a son, John, Elizabeth Eunice, Freestone and Abiell, until they be of age to choose guardians, the widow to have for her part 1,500li., provided she pay 100li. to Elizabeth Gedney, which bequest was made by Mr. John Turner, when she becomes of age or is married, and in the meantime said Elizabeth was to be educated at the charge of the administratrix. The rest of the estate was to be divided equally among the children, the son to have a double portion. If the widow changed her condition, the whole estate, except her portion, was to be placed in the court's hands to order, and if the estate suffered any losses, each was to share proportionately in such losses. Capt. William Browne, Mr. John Hathorne, Capt. John Price and Mr. Thomas Gardner, jr., were to advise the widow in the management of the estate.

unto 2,843li. 9s. 11d.; household stuff and in baggs, 1,295li. 8s.; total, 4,138li. 17s. 11d. The account of houseing & land; the dwelling house, land, out houseing, 2 warehouses & wharfe belonging thereunto, 500li.; a house, household stuff & stock at Bakers Isld., 50li.; Land at Castle Hill, 70li.; a parcell of land bought of Wm. Lake and a pcell bought of Nathl. Sharp, 40li.; a warehouse at Winter Isld., 12li.; house and land bought of Mr. Skinner, 140li.; the warehouse yt is building boards, &c., 25li.; land by Christopher Babidges, 40li.; total, 877li. The account of Vessells: the Keatch Blossome, 170li.; Keatch Prosperous, 120li.; Keatch Jno. & Thomas, 100li.; Keatch Willing mind, 90li.; total, 480li.; 1-2 of ye Keatch with Mr. English, 190li.; 1-2 of ye pink Speedwell, 150li.; 3-8 of the Keatch Society, 150li.; 3-8 of the Keatch Wm. & Jno., 100li.; 1-4 of the Keatch Freindship, 65li.; 1-8 of the Keatch Fraternyty, 40li.; a shallop at Marblehead, 50li.; 1-4 of ye sloop with Jon. Hart, 40li.; a pleasure Boote, 8li.; 1-3 or 3-8 of the Shipp Wm & John, 500li.; total, 1,773li., making total of whole estate 6,788li. 17s. 11d. Further, a parcell of Salt at Marblehead; a parcell Refuse fish at Marblehead. The account of Debts due unto the estate and debts due to be payd out of the estate which cannot yet be settled or knowne.

Petition of Anne Lake,* wife of William Lake: that her husband had met with a sudden death, leaving her in a sorrowful and destitute condition and involved in debt, none

* Autograph.

knowing his business but himself, these debts having been contracted while he had a license to sell cider, ale and beer; that he had never been convicted of keeping a disorderly house, and had a large stock of goods on hand for which he still owed; that her family had been visited also by the small-pox, and she asked for a continuation of the license.

Inventory of the estate of Isac Hyde presented by Susanna Hyde, taken Nov. 13, 1680, by Joseph Grafton* and Samuel Gardner, jr.*: a dwelling house & 24 pole of land, 60li.; feather-bed & furniture as it stands, 4li. 10s.; 4 paire of sheets & 4 pr. pillowbeirs, 2li. 10s.; 8 towels, 8 napkins, 4 Tablecloths, 15s.; putor, 25s., brasse, 30s., 2li. 15s.; Iron ware, 20s., earthen & tin ware, 10s., 1li. 10s.; 2 small tables & a chest, 1li.; 8 Chaires, 12s., 2 truncks, 10s., 1li. 2s.; Carpet & 2 small baskets, window curtin & a pr. bellows, 12s.; old barrels & tubbs, 5s.; total, 74li. 19s. Due to be paid unto Wm. Hill in England, 5li. Attested in Salem court, 30 : 9 : 1680, by Susana Hide, and she was appointed administratrix of the estate of her husband, Isaack Hide. The estate, when the debts are paid, was to be equally divided, one half to the widow and the other half to Richard, child of the deceased, at the age of twenty-one years.

Agreement, dated Nov. 30, 1680, between Ezekiel Cheever of Boston, gentleman, in behalf of Ellin, his wife, sister of Capt. Thomas Lathrop, late of Beverly, and the children he had had by her, as heirs of said Lathrop, and Joseph Grafton† of Salem, mariner, in behalf of Bethiah Grafton,† relict and administratrix of Capt. Lathrop's estate, that said Cheever pay to Grafton, 60li., the latter releasing all interest in Lathrop's estate. Wit: John Higginson, sr.,* and Hilliard Veren.* Acknowledged, Apr. 4, 1681, before William Browne,* assistant.

Summons, dated May 4, 1680, for the appearance of John Webber and Georg Hiskutt, both of Boston, for sailing out of a safe harbor, namely, Annisquam river, in the time of public worship on the Lord's day; dated May 4, 1680; signed by Hilliard Veren,* cleric; and served by Joseph Bridgham,* constable of Boston.

Roger Rous, aged about forty-four years, deposed that as he passed by, he called aboard of Hiskeet's sloop, and asked for him, and they answered that he had gone to meeting. This was on the Sabbath day as he passed through the gut. Sworn, Dec. 2, 1680, before Jno. Richards,* assistant.

William Sergeant and Samuel Ellwell were granted witness fees.

* Autograph.

† Autograph and seal.

Francis Lyford, aged about thirty-eight years, testified that passing through the Cape he saw Hisket's sloop aground, etc. Sworn, Nov. 29, 1680, before John Richards,* assistant.

John Farfax, aged about eighteen years, testified that last fall, coming from the eastward with Gorg Hiskeet, they put into Squam on Saturday night and ran on top of a bank of sand at high water mark. On the Sabbath morning, Goodman Hiskeet went ashore to meeting and told his mate that if she floated to haul her off, but gave no order to go through the gut, etc. Sworn, Nov. 29, 1680, before John Richards,* assistant.

List of presentments, signed by John Rucke,* in the name of the rest of the grand jury.

Inquest upon the death of Joshua Ward, returned on Nov. 10, 1680, by Richard Croads, Samuel Shattock, Benjamin Pickman, John Norton, William Ropes, John Andrewes, Jonathan Eager, Robert Willson, Robert Nowell, John Bates, John Cooke and George Trott. who declared that he was killed by a cart wheel going over him, very much bruising his body and breaking his arm and shoulder, Sworn, Nov. 10, 1680, before Bartho. Gedney,* assistant.

Inquest upon the death of George March's negro, returned on Oct. 16, 1680, by a jury warned by Joseph Pike,* constable of Newbury, namely Robert Adams,* Robert Long,* Thomas Noyes,* John Webster, sr.,* Stephen Swet,* Moses Littel,* Richerd Browne,* James Smith,* Nathaniell Bricket,* Jonathan Haynes,* James Mireck* and Jno. Webster, jr.,* who declared they could find no wound, but understanding that he had wandered from his master's house nearly a week before, judged that for want of suitable refreshment, hunger and cold had been the means of ending his days.

John Barton,* chirurgeon, of Salem, testified that "being called to y^e house of Jacob Pudeater for to visett his former wife I found her upon y^e bed in a sencelesse stupified condition not able to spake one word, felt of her hands & she was extream cold, wth little or noe pulse, after Enquiry how she came into that condition, y^e said pudeater wth y^e widdow Greenslet did answer that she had been a broad adrinking of Rum, & being a very slibery cold time, she fell downe, & not being able to rise againe lay in y^e said place some considerable time till somebody found her & brought hir into y^e house and after administration of seuerall Medicines, in some few dayes she was recovered, & sat up in a chair by the fire, haueing some competency of sence & reason, then there being M^r John Browne, sen^r admonishing her, she seemed to be troubled for her fault & promised amendment, I y^e said Barton chargeing & re-

* Autograph

quiring y^e said pudeater & y^e nurss Greenslet not to giue her any rum or other strong Drinkes for they answered they shall not need to doe itt, for she would haue itt if it was to be had, for their backs could not be turned, but she would out of doors & carry anything wth her to pawne for Rum, & as her husband said she had made away wth most of y^e necessaryes of y^e house for Rum, soe I left her by y^e fire side in a hopefull way of recouervy, & in a short time after I heard she was dead, much to my amazement." Sworn, May 31, 1680, before Bartho. Gidney,* commissioner.

Ann Pudeator testified that the night her husband's first wife died she was in the same room and saw Pudeator give his wife rum in a porringer, as she sat in her chair, three several times, and, about half an hour after, they saw that she was dead. Sworn, Apr. 26, 1680, before Wm. Hathorne,* assistant.

Humphry Case, aged about fifty years, testified that the night before she died he heard her ask for a dram, whereupon he gave her a white earthen porringer full of brandy. She drank part of it and he urged her to drink it all, but she said she would bye and bye. When she had drank that, he brought her two more porringers full and forced her to drink it, saying it would work bye and bye. The porringer was as full each time as it could be conveniently handed one from another. Sworn, Apr. 27, 1680, before Bartho. Gedney,* commissioner.

Symon Booth, aged about thirty-nine years, and Recha Booth, aged about thirty-nine years, deposed that about two and three-quarters years ago they lived in Salem in a house of Jacob Pudeater's, and Isabell, wife of said Jacob, on the afternoon before she died, about three or four o'clock, came to their house and smoked a pipe of tobacco. She talked rationally and seemed in reasonable good health. At about eight or nine o'clock they heard she was dead, and Symon testified that, at eleven or twelve o'clock, he saw her stretched out dead upon a board or table in Pudeator's house.

Inquest upon the death of Solomon Green and the wife of Christopher Crow, who were found dead at Nehant, returned on Dec. 4, 1680, by a jury composed of Samuell Cobbett,* Rich. Haven, sr.,* John Ballard,* Robert Ingolls, sr.,* Willia Basset, sr.,* Samuel Johnson,* John Ingolls,* Robert Ingolls, jr.,* Moses Chadwell,* Thomas Brown,* Henery Stacy* and Daniel Johnson,* that they were drowned from a vessel that was wrecked on the east point of Nehant, driven up by the waves among great high rocks. The man's head was very much battered. The woman was taken up about the middle of the long beach, "as you go to Nehant" but had no bruises.

* Autograph.

They left both bodies with their relatives and saw them buried on Dec. 6, 1680. Sworn, Dec. 13, 1680, before Bartho. Gedny,* assistant.

Inquest upon the death of William, son of Joseph Edmonds, returned on Jan. 15, 1679, by a jury summoned by Joseph Roods, constable of Lyn, and composed of John Fuller,* Edward Baker,* Henry Rhodes,* William Meret,* Thomas (his mark) Stocker, Robert Potter,* John Burrall,* Rich. Haven,* Clement Colddom,* John Nuhall,* Richard Moore* and Aquiller (his mark) Ramsdell, that he was accidentally drowned in a hole of water about four feet deep near a great rock, according to testimony of Phillip Kertland, William Meriam and Joseph Edmonds, who found him. Sworn, 19 : 11 : 1679, before Thomas Laughton,* Thomas Marshall* and Rich. Walker.*

On 6 : 2 : 1680, Joseph Phippen* and Christopher Babbidge* informed Mr. Verren that Mr. English had not paid 11li. 5s. of his execution and the court had ordered a new one to be issued.

Execution, dated Apr. 6, 1680, against Richard Hollingworth, to satisfy the remainder of a judgment granted Philip English, 30 : 4 : 1674, at Salem court, signed by Hilliard Veren,* cleric, and served by Henry Skerry,* marshal, by attachment of land of Hollingworth in his orchard, and his part of the house, except six feet "on the north end on the back sid of his part of his house & on y^e south end of it & a yard before his part of his house to y^e hiewaye: & y^e use of y^e poorch half of it for y^e use of his part of his house & half y^e poorch to y^e other halfe to y^e use of Philip Engleshes his part of his house at y^e west end of this house: with y^e leanto for his part: all y^e trees & stone fence," and gave pqsseesion by turf and twig.

Jeremiah Neale* and John Williames,* on 24 : 2 : 1680, appraised land and a part of a house of Mr. Richard Hollingwood's at Marble Head ferry or Point of Rocks, so called, in Salem, lying between Mr. Phillip Crumwell and Mr. Phillip English, at 11li. 15s. Sworn, Feb. 7, 1681, before William Browne,* assistant.

Execution, dated 6 : 9 : 1680, against Lt. John Wing, to satisfy judgment granted Mr. Jonathan Corwin, in behalf of his wife Elizabeth, lately Elizabeth Gibbs, 29 : 4 : 1680, at Salem court, signed by Hilliard Veren,* cleric, and served by Returne Waite,* deputy to Henry Skerry,* marshal of Salem. Mr. Jno. Frost and Mr. Tho. Baker, appraisers of the goods, were sworn, at Boston, Jan. 19, 1680, before Elisha Hutchinson,* commissioner.

* Autograph.

Execution, dated 3 : 10 : 1680, against Thomas Frame, to satisfy judgment granted John March, 30 : 9 : 1680, at Salem court, for 4,000 red oak hogshead staves, to be delivered at some convenient landing place below Holt's rocks on Merimake river side, signed by Hilliard Veren,* for the court, and served by Robert Lord,* deputy for Henry Skerry,* marshal of Salem.

Execution, dated 7 : 10 : 1680, against Andrew Tucker, to satisfy judgment granted John Elletrop, 30 : 9 : 1680, at Salem court, signed by Hilliard Veren,* cleric, and served by Henry Skerry,* marshal of Salem.

Execution, dated July 21, 1680, against Joseph Gatchell, to satisfy judgment granted Peetar Cheevers, at the June term of the Salem court, signed by Hilliard Veren,* cleric, and served by Henry Skerry,* marshal of Salem.

Execution, dated July 2, 1680, against William Barton, to satisfy judgment granted John Cromwell, 24 : 4 : 1680, at Salem court, signed by Hilliard Veren,* cleric, and served by John Williams,* deputy to Henry Skerry,* marshal of Salem, who delivered Barton to Cromwell, as his servant for four years, or until the execution be paid.

Execution, dated July 1, 1680, against John Price, to satisfy judgment granted Benjamin Balch, son of John Balch, deceased, and joint executrix with his mother-in-law, Agnes Balch, 30 : 4 : 1680, at Salem court, signed by Hilliard Veren,* cleric, and served by Henry Skerry,* marshal of Salem, who gave possession by turf and twig.

Execution, dated 28 : 12 : 1679-80, against Mr. William Longfellow, to satisfy judgment granted Penuell Titcombe, 25 : 9 : 1679, signed by Hilliard Veren,* cleric, and served by Robert Lord,* deputy to Henry Skerry,* marshal of Salem, by attachment of Longfellow's gate rights in Rowley common.

Execution, dated 28 : 4 : 1680, against Samuell Gatchell, to satisfy judgment granted John Best, Apr. 6, 1680, at Salem court, signed by Hilliard Veren,* cleric, and served by John Williams,* deputy to Henry Skerry,* marshal of Salem.

Execution, dated 24 : 7 : 1680, against Mr. Edmond Batter, to satisfy judgment granted Ruth White, June 29, 1680, at Salem court, signed by Hilliard Veren,* cleric, and served by Henry Skerry,* marshal of Salem.

Execution, dated 20 : 10 : 1680, against John Keene, to satisfy judgment granted, 30 : 9 : 1680, at Salem court, signed by Hilliard Veren,* cleric, and served by Henry Skerry,* marshal of Salem, at Keene's house in Boston.

Execution, dated Sept. 15, 1680, against Nicholas Manning, to satisfy judgment granted Resolved White, Sept. 7, 1680, at the Court of Assistants in Boston, signed by Edward Raw-

* Autograph.

son,* secretary, and served by Henry Skerry,* deputy to Joseph Webb,* marshal of Suffolk, by attachment of two cows.

Execution, dated 26 : 12 : 1680, against Capt. Nicholas Page, assignee of Thomas Woodbridge, to satisfy judgment granted Mr. George Carr, sr., and Mr. James Carr, Nov. 30, 1680, at Salem court, signed by Hilliard Veren,* cleric, and served by Henry Skerry,* marshal of Salem, who delivered the money to Mr. Thomas Baker, a smith, of Boston, agent for the Carrs of Salisbury.

Execution, dated May 5, 1680, against John Procter, to satisfy judgment granted Joseph Procter, 24 : 4 : 1679, at Salem court, signed by Hilliard Veren,* cleric, and served by John Williams,* deputy to Henry Skerry,* marshal of Salem.

Execution, dated Oct. 6, 1680, against Jonathan Gatchell of Marblehead, to satisfy judgment granted John Best of Salem, signed by William Browne,* assistant, and served by Henry Skerry,* marshal of Salem, by attachment of a house and committing said Gatchell to prison.

Execution, dated 7 : 10 : 1680, against Robert Hooper, to satisfy judgment granted Mr. Christopher Lattamore, 30 : 9 : 1680, at Salem court, signed by Hilliard Veren,* cleric, and served by Henry Skerry,* marshal.

Thomas Patch, aged about forty-two years, deposed that the country highway at Frost-fish brook is not sufficient for want of a bridge. Sworn in court.

Thomas Woodbridge, aged about thirty-one years, testified that about four years ago Mr. Abram Bartholomew desired Mr. Jno. Westcut to go to Salem and bring some blocks for his ship, which he did, procuring them either at Salem or Marblehead. Sworn, Dec. 3, 1680, before Bartho. Gedney,* assistant.

Venire, dated Oct. 12, 1680, for Salem, also summons to the selectmen of Salem, for want of a bridge at Frostfish river, and to Phillip Mudle, for living from his wife and attempting marriage with another woman, signed by Hilliard Veren,* cleric, and served by Joseph Hardy,* constable of Salem.

Taken up by Samuell Smith, Oct. 9, 1680, a sorrel horse, four years old, with a white stripe down his face, with one white foot, and docked; also taken up by Jeremiah Elsworth a dark, blackish bay horse colt, coming two years old, with a star in his forehead.

Edward Rawson,* secretary, certified that at the General Court on May 19, 1680, John Grafton, Resolved White, Robert Fuller, Jno. Felton, Joseph Phippen, Thomas Putman, jr., Wm. Stacy, Zachariah March and Symon Booth, all of Salem, were made freemen.

Edward Rawson,* secretary, certified that at the General

* Autograph.

Court on May 27, 1674, Mr. Daniel Epps, jr., then of Ipswich, was made freeman.

Bond, dated Sept. 16, 1680, given by John Appleton* for appearance to prosecute against Anthony Potter, before Maj. Gen. Denison on Sept. 23, 1680.

Samuell Appleton,* in behalf of his father Capt. John Appleton, was also bound.

John Warner's* charges: one day when the estate was prized, 2s.; removing the Provisions & Lumber on day with my teame, 3s.; carrying Provision & other things to Mistaris treadwell, 3s.; going to the farme once a weecke to look after the creturs, 3s.; three days & a halfe time to bring the cattell from the farme, 7s.; Providing for those that did helpe us to remove the cretures, 2s.; three days & a halfe I hired hands to help us, 6s.; keeping of ten sheepe eaight weackes, 1li.; keeping too hefers three weekes, 3s.; total, 2li. 9s.

Bond, dated July 31, 1680, of John Lighton,* for appearance to prosecute against Samuell Graves.

Bill of cost of Dorcas Gatchell, Mary Ossgood, Phillip Rowell and Sarah, his wife, in a complaint against John Ring and Martha Lampson, 16s.

Copy of deed, dated Sept. 14, 1677, given by Thomas Cobbet, pastor of the Church of Christ of Ipswich, and wife Elizabeth, for 40li., in money, pork, wheat and malt, to John Burnam, jr., marsh on the east side of Jubaquo river, formerly granted him by the town and laid out by Deacon Pengry and Robert Lord, sr. Wit: John Rogers and John Denison. Elizabeth Cobbet released her dower. Recorded in the record of lands for Essex, book 4, page 382. Copy made by Robert Lord,* recorder.

Deed, dated May 20, 1670, given by Richard Blood† of Groton, yeoman, for 10li. 10s., to Samuell Bennet of Boston, gentleman, ten acres of meadow and pasture in Lynn, formerly granted by the town of Lynn to John Poole of Lynn, husbandman, and by him conveyed to said Blood, bounded on the south by land of John Gilloway, on the north by land of William Martin, on the east by the Lynn common land, and on the west by the river running to the Iron Works. Wit: Ed. Page,* Jonathan Crisp* and Hen. Nelson,* scribe.

From the files of the Salem Commissioners' court:

Writ: Mr. Edmond Batter v. William Buckley; debt, due from his son Thomas, late deceased; dated July 26, 1680; signed by Hilliard Veren,* for the court and town of Salem; and served by Henry Skerry,* marshal, by attachment of a long table and great chest of defendant's.

Writ: John Pudney v. Anthony Needham, and Mr. Jonathan Palmer and Mr. Thomas Norman, as sureties; forfeiture of a bond; dated Sept. 30, 1680; signed by Hilliard Veren,* for the court and town of Salem; and served by Peter Cheevers,* constable of Salem, by attachment of land about

* Autograph.

† Autograph and seal.

COURT HELD AT IPSWICH, MAR. 29, 1681.

Judges: Major Genrll. Denison, Esq., Major Nath. Saltonstall, Esq., Wm. Browne, Esq., and Bartho. Gedny, Esq.

Jury of trials: Capt. John Apleton, Mr. Simon Willard, Mr. Sam. Rogers, Tho. Hart, Thomas Lull, John Newmarsh, Mr. Rich. Dummer, Samuell Platts, Josiah Gage, Tho. Ossgood, Jacob Towne and Ephraim Winsley.

Richard Dole v. Capt. Nicolas Maning. Debt. Verdict for plaintiff.*

*Writ: Richard Dole v. Capt. Nicholas Maning of Salem, for goods now in the hands of Joseph Plummer of Newbury; debt; for two cows and two calves which Maning bought of Dole in 1675; dated Mar. 22, 1680-81; signed by Anthony Somerby,† for the court and clerk for Newbury; and served by Joseph Pike,† constable of Newbury. Joseph Plumer owned that he owed Maning 5li. in barley at 3s. 6d. per bushel and Indian corn at 2s. 6d. per bushel.

Richard Dole's bill of cost, 1li. 11s.

Joseph Plumer, aged about fifty years, deposed. Sworn in court.

Letter addressed, "Thes for M^r Dowell Liueing at Newbery in New England these Deleuer."

"M^r Dowell Sier after my Loue presented theyes may infourem you that I haue sent for the to Cowes that I bought

said Needham's house. Execution served on 6 : 8 : 1680, by Henry Skerry,† marshal, and judgment satisfied.

Execution, dated Oct. 6, 1680, against Anthony Needham, to satisfy judgment granted Henry Cooke and Robert Pease, at Salem Commissioners' court, Oct. 5, 1680, signed by Hilliard Veren,† cleric, and served by Henry Skerry,† marshal of Salem.

Summons, dated 5 : 8 : 1680, to Mary Robbins and Charles Phillips, as witnesses in an action between Thomas Robbins and James Simans, signed by Hilliard Veren,† for the court and town of Salem.

Bond, dated 15 : 9 : 1680, given by Samuell Prince† of Salem, tailor, to Resolved White, for the payment of all debts. Resolved White† accepted it on the same date. Sworn in Salem Commissioners' court. On June 14, 1681, Resolved White† acknowledged the receipt.

Warrant, dated 2 : 10 : 1680, to the constable of Marblehead, for the appearance of Robert Sweete, for beating and abusing Thomas Russell, signed by Hilliard Veren,† cleric; and also summons to Richard Rowland and John Buckley as witnesses.

Richard Rowland, aged twenty-two years, testified that he was in the house of his brother, Erasmus James, with Thomas Russell, sitting peaceably and quietly by the fire. Robert Sweet came in staggering and striking Russell, pulled him out of doors.

Thomas Russell† complained on the next day, Dec. 2, 1680, that Sweete struck him so that his hearing had not come back as it was before, etc.

† Autograph.

Robert Haines v. Joseph Lee. For refusing to give possession of a house and land. Verdict for plaintiff. Possession to be given within one month or 14li. in merchantable fish. Appealed to the next Court of Assistants. Joseph Lee bound, with Phillip Fowler and Josiah Clarke, as sureties.*

of you the Last satterday and farder I dow desier you to send me one Cowe more as good a wan as you Cann if possibell and deLiuer them to the barer hereof Robert Gray and I shall not faiel you to macke youer gon stockes and stellerds that you speck for of me at the time so haueing noe more at present I rest Youer Loueing frind to sarue in what I Cane

"the 26 of Aprél 75

Nicholas Maning."†

William Dole, aged about twenty-one years, deposed that he delivered the cattle for his father, Richard Dole. Sworn in court.

Samuell Plumer, aged sixty-two years, deposed that he helped Maning's man over the ferry with the cattle, and the young man was Maning's son-in-law. Sworn in court.

*Writ, dated Feb. 14, 1680, signed by Daniel Denison,† for the court, and served by Robert Lord,† marshal of Ipswich.

Letter of attorney, dated Mar. 3, 1680-81, given by Robert (his mark) Heines† of Hog Island, Isles of Shoales, fisherman, to Mr. John Wainwright of Ipswich, merchant. Signed, sealed and delivered to Mr. Andrew Deamont in behalf of Mr. John Wainwright, in the presence of Samuel Belcher† and Mercy Belcher.† Acknowledged, Mar. 3, 1680-81, before Andrew Deamont,† commissioner.

John Wainwrite's bill of cost, 1li. 13s.

Jno. Wainwright's† receipt, dated July 7, 1680, to Robt. Haines for 10li. in fish on account of Joseph Lee, which with 20s. in money was in full for the house at Hog Island. Wit: John Hunt.†

John Wainwright, aged about thirty-one years, deposed that in June or July last, Joseph Lee sold to Robt. Haines, a house that was formerly in possession of Gabriel Grubb, for 11li. Also that Lee gave deponent an order to give Haines possession but he had no power then and could not do it. Haines came to Ipswich last October and demanded it. Sworn in court.

Robert Heines, aged about seventy years, deposed that his voyage to Ipswich cost him 20s. in money, and Lee promised to give him possession soon, etc. Sworn, Mar. 8, 1680-81, before Andrew Deamont,† commissioner.

Simon Wainwright, aged about twenty years, deposed that, being at the Isles of Shoals last summer, Joseph Leigh was there and often came to him in his brother, John Wainwright's,

† Autograph.

† Seal.

Isaac Morrill v. Mathew Clarke. Appeal from a judgment of the Worshipful Major Saltonstall, Esq., on Feb. 21 last. Verdict for plaintiff, reversal of the former judgment.*

absence, about selling a house, etc. Sworn, 30 : 1 : 1681, before N. Saltonstall,† assistant.

Jno. Roberts testified. Sworn in court.

John Roberts, aged thirty-four years, testified that he heard Haines say to Wainwright, at the latter's house, "I had noe other busines to Ipswich but about my bargaine for I am in want of my house I bought of you : wch you p'mised mee to giue mee possession of : I had Rather ses: Haines haue giuen 10^l for it will cost mee fve pounds before I Get home and all this is because you do not performe yo^r bargaine to mee." Sworn in court.

*Copy of the papers in this action, tried before Nathaniel Saltonstall:†

Writ: Isaac Morrill of Salisbury v. Mathew Clarke; for not delivering to him a bay mare, which had been in controversy between Haniel Clarke and Benjamin Singletery; dated Feb. 14, 1680; signed by Nath. Saltonstall,† assistant; and served by Robt. Emerson,† constable of Haverhill.

Judgment for defendant. Appealed to the next Ipswich court, with Robert Clement, as surety.

In an action on Jan. 25, 1680, Haniel Clarke v. Benjamin Singletery, for taking away a young mare in 1679 from Edw. Clarke's yard, which mare came up with Haniel's jades. Judgment for plaintiff, the mare which defendant took and branded, docked and had ridden the past year.

Isaac Morrell's bill of cost, 2li. 19s.

Mathew Clark's bill of cost, 7s. 4d.

Jotham Hendrick testified that Haniel Clarke told him that he sold Benjamin Singletery two mares, and also that he had two mares killed in one year, a gray mare and her colt, and he thought Samll. Davis killed them. Sworn 25 : 11 : 1680.

Benjamin Singletery testified that about two years ago he was at Goodman Serjeant's and the latter's wife told him that Han. Clark's colt lay dead upon the plain. As deponent came home, Danll. Clement and Jno. Cooke came with him, and they saw the colt, which colt was a bay, with a star in the forehead. Deponent further said, that when Haniel first quarrelled with him about this mare, she was in his stock yard, and he asked Haniel if he would challenge her, and he said he would. Sworn, 21 : 12 : 1680.

Amos Singletery deposed that he saw the mare at Almsbury

† Autograph.

Benjamin Kimball v. Nathan Webster. Trespass. Verdict for plaintiff, the land in controversy.*

and at another time at his father Singletary's in Haverhill. Joseph Peasley testified to the same. Sworn, 21 : 12 : 1680.

Peter Green deposed. Sworn, 21 : 12 : 1680.

Moses Morrell, aged about twenty-five years, deposed. Sworn, 21 : 12 : 1680.

Nath. Griffin, aged about thirty years, deposed that Isaac Morrell had a bay mare, with a black mane, black tail and a blackish list along her back, etc. Sworn, 21 : 12 : 1680.

Joseph Clarke deposed that he, being at his brother, Matthew Clarke's house, when Morrell demanded the mare, etc. Sworn, Feb. 21, 1680.

Joseph Peasley deposed. Sworn, 21 : 12 : 1680.

Benjamin Greele deposed that he asked Haniel Clarke in deponent's father's mill, etc. Sworn, 21 : 12 : 1680.

Jacob Morrell, aged about thirty-two years, deposed that his brother Isaac Morrell, etc. Fawne Clement also deposed. Sworn, 21 : 12 : 1680.

Isaac Morell's† reasons of appeal, received Mar. 22, 1680, by Nath. Saltonstall,† assistant.

Matthew (his mark) Clarke's reasons of appeal.

Isack Moril's bill of cost, 1li. 16s. 4d.

*Writ: Benjamin Kemball v. Nathan Webster; trespass; for coming upon part of that land in Bradford near Webster's present dwelling, which said Benjamin purchased of Hugh March, sr., who formerly bought it of John Griffing; dated Mar. 18, 1680-81; signed by Nath. Saltonstall,† assistant; and served by Nathan Webster,† constable of Bradford.

Copy of record of Ipswich Court, Apr. 1, 1679, Daniell Wicom v. John Griffing. Griffin acknowledged judgment to Wicom. Copy made by Robert Lord,† clerk.

Execution, dated July 8, 1679, against John Griffin, to satisfy judgment, signed by Robert Lord, cleric, and served by Robert Lord, marshal, by attachment of five acres of land appraised by Robert Clements, Ezekiell Mighill and Samuel Hazeltine, bounded by land of Salem men, Griffen, the road leading to Haverill river ferry and Ben. Kimball. Copy made by Robert Lord,† cleric.

Benjamin Kimball's bill of cost, 2li. 1s. 1d.

Samuel Tyller and Richard Kimball deposed that Nathan Webster was carrying off wood from the ground, etc. Sworn in court.

Deed, dated Dec. —, 1679; given by Daniell Wicom† and wife Mary, both of Rowley, to Nathan Webster of Bradforth,

† Autograph.

5 1-2 acres of land in Bradforth, formerly John Griffin's of Bradforth, taken by execution, possession of which was given by turf and twig. Wit: Phillip Nellson* and Elizabeth Nellson.* Acknowledged, Dec. 10, 1679, before Daniel Denison.* Recorded, Dec. 10, 1679, among the records for lands for Essex at Ipswich, book 4, page 293, by Robert Lord,* recorder.

Mortgage deed, dated May 3, 1679, given by John Griffing† of Bradford to Hugh March, sr., of Newberry, for 17li., seven acres of land in Bradford, bounded on the north and east by land of Nathan Webster, on the south by the country highway, on the west by land of John Griffing, as it was lately laid out by Griffing and Webster, the money to be paid in fat beef or cattle fit for slaughter, bulls excepted, or good corn. Wit: Timothy Woodbridge* and Jno. March.* Acknowledged, May 3, 1679, before Jo. Woodbridge,* commissioner. Recorded, Dec. 19, 1679, among the records of land for Essex, book 4, page 298, by Robert Lord,* recorder.

John March, aged about twenty-three years, deposed that, as his father's agent, he received the land from Griffin, and later the latter came down to Newbery and gave his father the deed of it. Sworn, 29 : 1 : 1681, before N. Saltonstall,* assistant.

Ezekiell Mighill deposed concerning appraising the land with Robert Clemence. Sworn in court.

Deed, dated Dec. 10, 1679, given by Hugh March, sr.,† of Newbury, to Benjamin Kembball of Bradford, for 30li., seven acres of land, according to the bounds in the deed given by John Griffing to said March, dated May 3, 1679. Wit: Daniell Ela* and John March.* Acknowledged, Dec. 10, 1679, before Nath. Saltonstall,* assistant. Recorded, Dec. 23, 1679, among the records of lands for Essex at Ipswich, book 4, page 298, by Robert Lord,* recorder.

Robert Clements testified that last summer, when Benjamin Kembball was ploughing his Indian corn for weeding or hilling, he was desired by Marshal Robert Lord and John Griffing to appraise the land, etc. Sworn, Dec. 10, 1679, before Nath. Saltonstall,* assistant.

Thomas West, of Bradford aged about forty-six years, deposed. Sworn, Mar. 28, 1681, before Nath. Saltonstall,* assistant.

Samuell Hesiltine and John Wasson deposed that this land was the same, etc. Sworn in court.

John Griffing, aged about forty years, deposed. Sworn, 29 : 1 : 1681, before N. Saltonstall,* assistant.

John Griffing, aged about forty years, deposed that when the execution was served he showed the marshal a tract of

* Autograph.

† Autograph and seal.

Wm. Neff v. Jotham Hendrick and Israell Hendrick. For taking away a parcel of cedar clapboards. Verdict for plaintiff.*

land of his own lying at the head of Salem men's land, so called, but he would not take it, and when he levied upon the land in controversy deponent told him that he did it at his own risk. Sworn, 29 : 1 : 1681, before N. Saltonstall,† assistant.

John Griffing deposed that Kimball asked Webster to go with him to Abraham Hesillton's to get the writing, but he said he could not go because he was just up, it being about sunrise. So Kimball went and came again, as soon as he could get Mr. Thomas Was to come with the writing, and demanded a release of the agreement, but Webster said it was too late. Sworn, 29 : 1 : 1681, before N. Saltonstall,† assistant.

*Writ: Wm. Neff v. Jotham Hendrick and Israel Hendrick; for taking away a parcel of his cedar clapboards at a swamp called Lt. Challis' swamp in Almsbury, about 2,600, worth 40s. per thousand at the swamp; dated 21 : 12 : 1680; signed by Nath. Saltonstall,† assistant; and served by Robert Emerson,† constable of Haverhil, by attachment of three oxen, one cow, one heifer and two yearlings of Jotham's, and one ox and cow, which Jotham Hendricks and John Stockbridg affirmed to be Israel's.

Joseph Peasly and James Sanders affirmed that the price of cedar clapboards at the swamp was 4s. per hundred.

William Knif's bill of cost, 2li. 13s.

Stephen Davis, aged about seventeen years, testified that he saw Israell Hindraks carting away about 800 cedar clapboards. Sworn, 21 : 1 : 1680, before Nath. Saltonstall,† assistant.

James Sanders, aged about thirty-six years, deposed that Israel Henderick told him that he was employed by Lt. Chalis to carry away the clapboards, and, if he had not, he must have paid Lt. Chalis three pounds. Sworn in court.

Joseph Peasly, aged about thirty-three years, deposed. Sworn in court.

William Whittaker deposed that he and Sam. Simens helped William Neff make 3,700 clapboards. Simens told Hendricks that before the clapboards should be carried away in such a manner, there should a smoke arise. Then Jotham Henderick said it would be a pity to burn them, and Simens, blowing tobacco smoke upward, said that there were more ways than one, etc. Sworn, 19 : 1 : 1680-81, before Nath. Saltonstall,† assistant.

† Autograph.

Thomas Rayment v. Thomas Hart. For withholding a white mare. Nonsuited.*

Kathren Bell, daughter and administratrix of the estate of John Buffing v. John Bachelour. For cutting and felling lumber. Verdict for defendant.†

Benjamin Singeltary deposed that Joseph Peasley was discoursing with Neff as to whose man William Witecur was and they both said that they had hired him and furthermore he went to which of their bags of victuals he would. Sworn, 28 : 1 : 1681, before N. Saltonstall,‡ assistant.

Joseph Peasley deposed that Challis agreed with Isreaell Hendrick to bring that parcel of clapboards down to Amsbury, etc. Sworn in court.

John Whittier deposed that they were to be delivered at Powaooy river's mouth, etc. Sworn, 28 : 1 : 1681, before N. Saltonstall,‡ assistant.

Nathanel Hasalton deposed. Sworn before Nath. Saltonstall,‡ assistant.

Wm. Godsoe, aged about twenty-nine years, deposed. Sworn, 28 : 1 : 1681, before Nath. Saltonstall,‡ assistant.

John Hartshorne deposed that Lt. Challis told him that William Neff spoke so honestly, he being a poor man, that he had freely given him the clapboards and shingles. Joseph Hartshorne deposed the same, being at Lt. Challis' house at the same time. Sworn, Mar. 19, 1680-81, before Nath. Saltonstall,‡ assistant.

*Writ: Thomas Raiment v. Thomas Hart; for withholding a white mare, with a half round notch cut in her right ear, also two colts; which mare was formerly John Raiment, sr.'s, of Beverley and given by him to plaintiff; dated Jan. 7, 1680; signed by Andr. Elliott,‡ for the court and clerk for the town of Beverley; and served by Walter Fayerfield,‡ deputy to Henry Skerry,‡ marshal of Salem.

Thomas Hart's bill of cost, 1li. 4s.

†Writ, dated 1 : 12 : 1680-81, signed by Hilliard Veren,‡ for the court and town of Salem, and served by Henry Skerry,‡ marshal of Salem, by attachment of three swine, a cart and wheel, sled and some wood of defendant.

John Marston, sr.,‡ and William King,‡ on Dec. 17, 1680, appraised the damage, for Jeremiah Neale and Samuell Wakefield, attorneys to Katharine Bell, upon the land of John Bullfinch, now in possession of John Batchelor, by cutting timber and wood there, at 7li. Sworn, Dec. 17, 1680, before Bartho Gedney,‡ assistant.

‡ Autograph.

At a town meeting on 23 : 11 : 1642, John Endicott, Thomas Gardner, Peter Palfrey, William Lord and Jeffry Massy being present, Esdras Read, Brother Bulfinch, old Goodm. Scudder, Ralph Tomkins, John Kitching, Theop. Downing, the fisherman, Nicholas Heyward, a fisherman, Wm. Boudish and John Abby were granted ten acre lots, to be laid out near Brother King's lot. Copy made from Salem book of records, 18 : 10 : 1680, by John Hathorne,* recorder to the selectmen.

At a meeting of the selectmen, 14 : 12 : 1675, "It being left to the select men to lay out a tenn acre Lott formerly granted to John Bourne and sould to old Weeks Itt is left to Phillip Cromwell, Edw^r Flint & John Corwin to lay out the same and Nicho. Maning." Copy made from Salem book of records by John Hathorne,* recorder to the selectmen.

"Cap^t John Corwin, M^r Ph. Cromwel, Edward Flint & Nicholas Maning being apoynted to lay out a tenn Acree Lott to John Archer, haue p^rformed the same February 1675." Copy made by Jo. Hathorne,* recorder to the selectmen.

Copy of the letter of administration, made by Tho. Danforth,* recorder, dated Cambridge, Jan. 3, 1680, in which Katherine Bell was made administratrix of the estate of her father, John Bulfinch, lately deceased at Chattam, County Kent, old England.

Bill of sale, dated Sept. 7, 1665, given by Samuel Freind of Manchester to Lawrance Leach of Salem, now deceased, of the mill and mill house in Bass river, with two acres of land adjoining, also twenty acres a little distance off, all on Royall's Neck side. Wit: Roger Conant and William Walton. Acknowledged, Mar. 28, 1681, before Bartho. Gedney, assistant. Recorded, Mar. 18, 1681, by Hilliard Veren,* recorder. Copy made by Hilliard Veren,* recorder.

Deed, dated, May 18, 1674, given by John Leach, sr.,* of Salem, and wife Sarah (her mark) Leach, for 7li. 10s., to John Batchelor, jr., of Salem, fifteen acres in Salem, at a place called Royal side, having "the Common on the Southend, and the Southeast Corner bound is a stake by y^e swamp on the Southwest Corner tis bounded with a black oak tree by the Swamp side, And on the west side the Land of John Massy & a piece of common on the northwest Corner the bound is a Stake on the north it Joynes to five Acres of Land belonging to the sd John Leach, on the east side joynes to the Land of the sd John Batchelor bounded with a stake, at the Northeast Corner." Wit: John Swinerton* and James Symonds.* Acknowledged, 15 : 12 : 1674, before Wm. Hathorne,* assistant. Recorded in the records in Salem, 26 : 12 : 1674, by Hilliard Veren,* recorder.

* Autograph.

Deed, dated Dec. 20, 1677, given by John Gedney* of Salem, vintner, executor of the will of Nicholas Potter, deceased, John Pickman* and John Archer,* for 16li., to John Bachelor of Salem, yeoman, ten acres of land, formerly Thomas Wilkes', deceased, at or near Bass river head, in or near the bounds of Salem, bounded on the south and west by common land and on the other sides by land of John Bachelor. Wit: Hilliard Veren, sr.,† and Nathaniell (his mark) Pease. Acknowledged by Archer and Pickman, 18 : 12 : 1677, and by Gedney on 2 : 10 : 1678, before Wm. Hathorne,† assistant. Recorded, 8 : 1 : 16—, in the records in Salem, book 4, folio 181, by Hilliard Veren,† recorder.

William King, aged about fifty-three years, and John Marston, sr., aged about sixty-five years, deposed that when they went to appraise the damage they found the house, barn and land to be the land which, over thirty years ago, was John Bulfinch's, deceased, who formerly was an inhabitant of Salem. Deponents were neighbors of his most of the time, and it was bounded by the land now called Royal side on the south and on the east end by John Scudder's land. About twenty-two years since it lay open as common. Affirmed, 17 : 10 : 1680, before Bartho. Gedney,† assistant.

John Williams, aged about forty years, deposed that about thirty years since he lived with his father, George Williams, who then lived near the land now in controversy. Sworn, Mar. 21, 1680-81, before Bartho. Gedney,† assistant.

Letter of attorney, dated Mar. 5, 1680-81, given by Katherine (her mark) Bell,‡ widow, resident of Charlestowne, administratrix of the estate of her father, John Bulfinch, to Jeremy Neale and Samll. Wakefeild of Salem. Wit: John Strange† and John Cotter.† Acknowledged, Mar. 5, 1680-81, before James Russell,† assistant.

John Marston, sr., aged about sixty-five years, deposed concerning Bulfinch's lot on Ryalls neck, that in 1658 he went over it and it was not fenced then, and about thirty-five or six years since he lived upon a lot near it. Jeffry Mercie often told him that Bulfinch's lot lay at the head of deponent's fence, adjoining Henry Cook's lot, then so called by those who lived there, eastward. Also Bulfinch, himself, before he went to England, told him the same, and Mercie was left to look after it. Further "we 5 or 6 fammilies of us (at least 36 yere a goe) did call a plaine Rising hill in the said Bulfinshes lot, bulfinshes hill; and so it hold that name to this day; this to prevent mistakes in my former testimony that call henry cooks lot John Scuders and though John Scuder then had bought it yet we that liued there still cald it by the

* Autograph and seal.

† Autograph.

‡ Seal.

Mr. Francis Wainwright v. Richard Bace. Debt. Verdict for plaintiff, in winter fish. Judgment against him and Nathaniell Fryer, jr., his surety.*

name of henry cooks lot." Sworn before William Browne,† assistant.

William King, aged about fifty-three years, and John Marston, sr., aged about sixty-five years, deposed. Sworn, 17 : 10 : 1680, before Bartho. Gedney,† assistant.

Jacob Towne, aged about fifty years, deposed that about thirty-five or six years ago his father, William Towne, bought twenty acres of land of Jeffery Massy of Salem and paid for it in wheat the same year. Said land, bordering upon a swamp at the south, was common belonging to Salem at Ryal side, and ran fourscore rods to the northward. When his father removed from Salem in 1651, he sold this lot to Nathaniel Felton of Salem. Sworn in court.

William Dounton, aged fifty-three years, and Nathaniel Felton, aged sixty-five years, deposed concerning the truth of King's testimony. Sworn, Mar. 28, 1681, before Bartho. Gedney,† assistant.

John Leach, aged about sixty-three years, testified that, from the twenty acres now in controversy, he and his father cut off wood and timber as their own by purchase from Mr. Frend twenty-two years ago. Sworn, Mar. 28, 1681, before Bartho. Gedney,† assistant.

*Writ, dated Jan. 29, 1680, signed by Anthony Somerby,† for the court and town of Newbury, and served by Joseph Pike,† constable of Newbury. Bond of Richard (his mark) Bace and Natha. Fryer, jr.,† both of Portsmouth.

Francis Wainwright's bill of cost, 1li. 1s. 6d.

Due from Richard (his mark) Bace to Francis Wainwright,† Dec. 6, 1679, £14. 16s. 2d. in dry cod fish at the current shipping price. Wit: Simon Wainwright,† Dec. 7, by 1 silke neckcloth, 4s.; Cheese, 4s. 2d.; 4 yds. bl. linen at 22d., 1 quet ru., 8s. 4d.; honey & pott 19-, 3li. Tobacco at Shoals, 2s. 6d., 4s. 1 1-2d.; Jan. 23, 1679-80, by 3 1-2 bush. malt to Mr. Duncan, 14s.; Mar. 23, 7 yds. Kersy at 10s., 3li. 10s.; 8 doz. buttons, 4s. 8d.; silke, 21s.; thrid, 10d.; 6 yds. bl. linen, 11s. 10d.; 1 pr. Stockins, 8s.; ribbon, 9s.; 7li. tobacco, 5s. 10d.; 1 pr. tape, 2s. 2d.; wine, 15d., knife, 10d., 1-2 yd. Canvas, 3s. 5d.; shoos, 8s. 6d.; Knife, 9d.; Expences at Qu., 10s. 9d., 1 bush. of Apples, 14s. 3d.; Apr. 10, 9 1-4li. Tobacco at 10d., thrid, 4d., 8s. 10 1-2d.; fillitin, 3s., 5s. pd. Wm. Robts., 8s.; 8 yds. bl. linen, 13s. 4d., 1-2 yd. serge, 15s. 7d.; 1 barrl., 4s. 6d., 11s. pd. Elish. Bартn, 15s.

† Autograph.

John Lampson v. John Sady. Slander of his wife, Martha Lampson. Withdrawn.*

John Stamford v. Joseph Bond. Debt. Nonsuited.

Samuell Pearce, executor of Abigaill Perice, who was executrix to Robert Perice v. Job Alcock. Debt. Due to Wm. Quarles, and assigned by him to Robert Perice. John Gidding, his surety, acknowledged judgment to Samuell Perice in pine boards and money.

Henry Wormwood v. Steeppen Ossgood. For taking away his goods. Verdict for plaintiff.†

6d.; sidr. 6d., 1-2 C bread of Peter Lewis, 11s. 6d.; 1 1-2 yd. of Saile Canvas, 4s.; 1 1-4 C. merchantable fish, 11i.; pd. Mr. Belchr. 5s.; 5s. upon shipping for the next voyage; total, £28 4s. 11d. Cr., July 2, 1680, by your winter portlidge, £8; 13 3-4 C & 2s. worth of mer. fish, £11 2s.; 4 1-2 C Refuse fish at 11s., £2 9s. 6d.; Your share of oile, 9s. 6d.; total, £22 1s. Copy from the book.

*John Sady† and wife Elezabeth confessed that whereas they reported through misinformation or their own misconceptions that Martha, wife of John Lamson, stole a fan from them, they had wronged her and were sorry for it. Wit: Jno. Lee† and John Gould.†

†Writ: Henery Wormwood v. Steven Osgood; for taking away his goods for payment of ten single rates which he had paid before to the constable of Lyn in 1676; dated Mar. 11, 1680-81; signed by John Fuller,† for the court and town of Lyn; and served by Jacob Knight,† constable of Lyn, who attached a brown cow which Osgood took by execution, and by Joseph Willson,† constable of Andover.

Writ of replevin: for a brown cow that was taken upon execution from Henery Wormwood by Steeven Osgood, constable of Andiver, for the non-payment of the ten rates in 1676, when he was not an inhabitant there; dated Dec. 14, 1680; signed by William Cowdry,† clerk; and served by Henry Skerry,† marshal of Salem.

Thomas Laughton,† cleric of the selectmen of Lyn, certified that Henry Wormwood paid the rate made on 10 : 6 : 1676 in their town.

Richard Barker, Edmund Fawkner and Henery Ingalls, selectmen of Andover in 1675, testified that Henery Wormwood was an inhabitant of Andover that year and he gave in his estate himself in the sixth month, by which assessment the seven rates given out by the General Court in October, 1675, and the ten rates in May, 1676, were made. The ten

† Autograph.

John Kent, administrator of the estate of Patrick Eweing v. Rich. Dole, jr. For disposing of a barrel, etc. Verdict for plaintiff.*

rates which he refused to pay were 11i. 11s. Sworn in the Commissioners' court, Nov. 17, 1679, before Dudley Bradstreet,† recorder. Copy made, Mar. 28, 1681, by Dudley Bradstreet,† recorder. Defendant owned in court that Henry Wormwood had removed from their town before the ten rates in 1676.

Clement Colddom,† aged fifty-six years, deposed that as constable of Lyn in 1676 he received the rates, etc.

Dudley Bradstreet,† clerk, certified, on Mar. 28, 1681, that he issued an execution to Stephen Osgood directed to the marshal of Salem, but no return had been made to date.

Bill of cost, 33s.

Copy of a record of Salem court, 25 : 9 : 1679, relating to this matter, made by Hilliard Veren,† cleric.

Henry Skerry deposed that he delivered the cow to Steven Osgood by the horn, etc. Sworn in court.

*Writ: John Kent, administrator of the estate of Patricke Evans, deceased v. Mr. Richard Dole, jr.; for making use of and disposing of one barrel of sturgeon and one barrel of rum, which were said Evans'; dated Mar. 21, 1680-81; signed by Anthony Somerby,† for the court and clerk for Newbury; and served by Joseph Pike,† constable of Newbury. Bond of Richard Dole, jr.,† of Newbury.

Jno. Kent's bill of cost, 12s. 10d.

Copy of a record of the Salisbury court, Nov. 11, 1679, in which administration was granted to John Kent of Nubery. He was lately on a voyage in Mr. Richard Dole's ship, of which one Patrick Ewing was master and said Kent mate, and upon the voyage home said Ewing fell overboard and was drowned. Kent was then master. Copy made by Tho. Bradbury,† recorder.

John Kent, aged about thirty-six years, and Thomas Stevens, aged about twenty-nine years, testified that a year ago last September they were at sea in Dole's ship, called the Hope-well, and when Evenes was drowned Richard Dole, jr., who was on board, took a barrel of rum and a barrel of sugar and other goods of Evenes and sold them. Sworn in court.

John Kent further deposed that Dole admitted since they came ashore that he sold it, and what was left he put into his father's warehouse. Sworn in court.

Thomas Stevens, aged about twenty-nine years, deposed that he was on board ship and Dole sold part of Evenes' clothes

†Autograph.

John Kent, administrator of the estate of Patrick Euen v. Rich. Dole, sr. For detaining him. Verdict for plaintiff.*

to a shipmaster who was with them, and the latter carried them to his own ship. John Kent deposed the same and also that Dole took money for the goods. Sworn in court.

Inventory of the estate of Patrick Ewing, taken Nov. 19, 1679, by George Hewes and Steephen Greenleafe, and sworn to at Rowley, Nov. 20, 1679, before Daniell Denison and Nath. Saltonstall, assistant: one paire of rough sleeves, 18d.; halfe a yard of dowles, 3s.; six neckcloths at 12d. a peece, 6s.; 2 paire of drawers, 5s.; 4 shirts, 14s.; thre old silke neckcloths, 4s.; a white Jackett, 2s.; two blew shirts & one pr. drawers, 6s.; a carpet, 6s.; a coat & briches, 10s.; cloth sute, 30s.; 4 paire stockings, 7s.; one paire old silke drawers, 3s.; one old sea gowne, 14s.; old silke wastcot, 2s.; 6 old handchercher, 3s.; one silver spoone & paper of buttons, 7s.; stuff & gunter scale compas, 11s.; one calbush tipt with silver, 40s.; sea booke, 5s.; one hatt, 4s.; 18 glas bottles, 6s.; barrel of Rum, 30 gallons, 3li.; one barrell of suger, 2 C 1-2, 50s.; one sea chest, 8s.; total, 16li. 7s. 6d. Copy.

*Writ: John Kent, administrator of the estate of Patrick Evans, deceased v. Mr. Richard Dole, sr.; for not paying two months' and twenty days' wages of Evans, as master of the ship Hopewell, of which Mr. Dole was owner; dated Mar. 23, 1680-81; signed by Anthony Somerby,† clerk for Newbury; and served by Joseph Pike,† constable of Newbury, by attachment of thirteen tons of salt.

John Kent's bill of cost, 1li. 18s. 10d.

Jno. Dole, aged about thirty-one years, deposed that he heard his father and Jno. Kent discoursing about Evins' estate, and his father said that Evins' estate should pay as well as receive. Sworn in court.

Men shipped upon the Hopewell, May 16, 1679: Patrick Evins shipped as mate at 2li. 10s. per month; Tho. Lane, boatswain, at 2li. per month; May 18, Tho. Stevens shipped before the mast at 35s. per month; Samll. Story shipped before the mast at 35s. per month; Samll. Lowle, carpenter, at 2li. per month; June 20, Philip Phalut, cook, at 15s. per month; June 12, Jno. Kent, mate, at 45s. per month; W. Titcomb shipped before the mast at 35s. per month; May 9, Citt Cole and Will Card shipped before the mast; June 18, Richd. Dole, shipped merchant. Sworn in court.

"Mr Patriack Evins. my ord^r & Desier is y^e Now you are full Loaden, to take y^e first faier wind and Saile directly from hence to y^e Island of Jameca, or to any other place in y^e West

† Autograph.

Daniell Ela v. Ens. Thomas Chandler. Special verdict. The question of law being answered, costs were granted defendant. Appealed to the next Court of Assistants. Daniell Ela bound, with Ephraim Fellows, as surety.*

Indes y^t my Son Richard Dole shall or may judg best for a Markett suteable for such a Cargo as you have on board y^e Ship, pray atend to his order and direction for I have and Doe ordaine and apoint my sd son to have y^e full and absolut power eyther by himself or his assigns to dispose of y^e ship and Cargo for my best advantag; and behoof. pray be very Carefull of y^e ship and w^t elce is Comited to yo^r Charg, keep good order, be surer to observe y^t in w^t place or port soever you come to keep and observe y^e Costom of y^t place y^t so you may avoid any trouble y^t may insue for neglect thereof wth w^t elce is nessecary to be done y^t may Consist w^t yo^r Comfort and my pfitt So Comitting you to y^e ptection of y^e Lord who alone is able to guide you aright and pserve you from all danger, give you a prosperous voyage and a safe Returne in due time So prays yo^r Freind

"Newbury this 16 of June

Richard Dole."†

Patrick Evins, Dr., May 15, 1679, to cash, 9li. 5s.; at Jno. Dole's, 43s.; paier shoos, 6s. 6d.; 9 gall. 1 qt. Rum. 27s. 9d.; 2 bar. Mackrill, 40s.; 4 quill. fish, 45s.; 5 yd. brod Cloth, 5li.; 1 gal. lime juse, 2s.; payd Hugh March, 17s.; 137 1-4li. suger at 4d pd., 45s. 9d.; cash by Nath. Clark, 9s.; 14 yds. Doulace at 4s. p yd., 56s.; cash by Jno. Dole, 5s.; cash by Nathanill Clark, 4li.; pr. of shoos, 7s. 6d.; glass & li., 18d.; 1-2 pt. li. 4d.; 10 3-4li. suger, 5s. 6d.; 1-2 pt. li. 4d.; 1 qt. li., 1s.; a glass & li., 20d., 8s. 6d.; at old Town, 1 qt. wine, 1s.; cash, 5li.; two quintalls of fish, 1li. 2s.; total, 40li. 2s. 10d.; delivered by Jno. Dole, 13s.

John Kent, aged about thirty-six years, and Thomas Stevens aged about twenty-nine years, testified that Evines was master of the ship from June 23, to Sept. 13, 1679 and said Kent was mate of the said pink Hopewell. Sworn in court.

Jno. Dole, aged about thirty-one years, testified that in June, 1679, he heard Evins promise his brother Richard Dole that, if he would let Will. Card go with them, he would pay for Jno. Kent's boy's victuals or passage. Sworn in court.

Richrd. Dole, aged about twenty-eight years, testified that his father, Richard Dole, etc. Sworn in court.

*Writ: Daniel Ela of Haverhill v. Ens. Thomas Chandler; for, as partner with said Ela and Mr. Shubael Walker, being bound to Capt. Thomas Brattle of Boston by bill dated Aug. 8,

† Autograph.

1671, for a debt contracted by them in building and rigging a vessel or ketch at Haverhill in 1671, called Patience and Betty, not paying his share, whereby plaintiff was sued in the Commissioners' court in Boston; dated Jan. 12, 1680; signed by Nath. Saltonstall,* assistant; and served by Joseph Willson,* constable of Andover, by attachment of pasture land before defendant's door.

Writ: Thomas Brattle v. Thomas Chandler, Shuball Walker and Daniel Ela; debt; dated Boston, June 2, 1680; signed by Nath. Barnes,* for the court and town of Boston; and served by Returne Waite,* marshal of Suffolk. Bond of Daniell Ela.*

Summons, dated June 26, 1680, for the appearance of Ensign Thomas Chandler of Andover, before the Commissioners' court at Boston, signed by Nath. Saltonstall,* assistant.

Daniel Ela's bill of cost, 1li. 15s. 2d.

Bill of sale, dated Nov. 8, 1671, given by Daniell Ela† of Haverhill, tanner, for 39li. 3s. 6d., to Ensign Thomas Chandler of Merrimack, one-third part of a small ketch, of 18 tons, called the Patient Betty, now riding at anchor in the river of Merrimack at Haverhill, with one-third of all her furniture, as anchors, cables, tackles, ropes, blocks, sails, masts, yards, iron work, as fitted for sea. Wit: John Griffin* and John Anbble.*

Daniell Ela affirmed that he offered to give Chandler money for his journey to Boston court as a witness, but he refused to go, etc.

Bond, dated Aug. 8, 1671, given by Thomas Chandler*, Shubael Walker* and Daniell Ela* to Tho. Brattle, for 9li. 12s., for a piece of goods. Wit: John Allen* and Moses Wheat.* Sworn by Wheat at Concord, June 5, 1680, before P. Bulkeley,* assistant. On Mar. 25, 1681, Mr. Shubael Walker testified that Tho. Chandler signed this bill, before N. Saltonstall,* assistant. Receipt, dated 1671, from Tho. Brattle* to Shuball Walker. Receipt, dated June 29, 1680, from Tho. Brattle* to Daniell Ela, for 5li. 17s. 6d., for a bill in which Mr. Knight and Mr. Pecker were bound with Ela.

Bond, dated June 29, 1680, given by Daniell Ela,* with Rich. Knight* and James Pecker* as sureties. Wit: Thomas Brattle, jr.,* and Katharine Eyer.* Receipt, dated Nov. 29, 1680, for his father, signed by Tho. Brattle, jr.*

Tho. Brattle sold these goods to the partners on Aug. 8, 1671: 1 Coyle of rope, 1 C : 1 : 13 at 3s. per C, 4li. 2s.; 15 C. of great nayles at 3s. per C., 2li. 5s.; 8 Cod lines at 3s. per piece, 2 dozen of codd hooks, 6s., 1li. 10s.; 3 yds. of Sacking, 3s., 2 large barrels of tarr at 32s., 1li. 15s.; total, 9li. 12s.

* Autograph.

† Autograph and seal.

Daniell Poore v. Walter Wright. Trespass. Verdict for plaintiff, the meadow in controversy.*

Thomas Brattle, aged about fifty-six years, made oath, at Boston, Mar. 22, 1680, before John Saffin,† commissioner.

Thomas Chandler's bill of cost, 14s. 2d.

Articles of copartnership, dated July 15, 1671, among Thomas Chandler,† Daniel Ela† and Shubael Walker,† said Ela having a boat covenanted for with William Sterling, now building, they agreed to share thirds on the said boat, for the hull and rigging, until it be fit to go to sea, either in the winter or spring, etc. Wit: James Pecker† and John Griffing.† Sworn, Feb. 22, 1680, by Ensign James Pecker and John Griffing, before Nath. Saltonstall,† assistant.

Shewbal Walker deposed. Sworn, 25 : 1 : 1681, before N. Saltonstall,† assistant.

Shubael Walker, aged about forty-two years, deposed that Daniel Ela had charge of the undertaking and was to go master of the ketch, having the grand bill of sale from the builder. Sworn, 28 : 1 : 1681, before N. Saltonstall,† assistant.

*Writ: Daniell Poor, sr., of Andover v. Walter Wright; trespass, in carrying away a load of hay from his meadow, commonly called his pond meadow; dated Mar. 23, 1680-81; signed by Dudley Bradstreet,† for the town of Andover; and served by Josep Willson,† constable of Andover.

Daniell Poor's bill of cost, 3li.

Grants to Daniell Poor, signed by John Osgood,† Nathan Parker,† John Frie,† Richard Barker,† John Lovjoy† and George Abbutt:† a four acre lot, bounded south by land of Nathan Parker that he bought of said Parker, north and west by land of John Aslete, and east by a swamp; two acres below the falls over the Shashine, bounded on the east by land of Richard Barker, on the north by Merymack, on the west by a swamp and on the south by John Fryes land; seven acres over Shashine, bound on the east by the river, on the north by the spring, on the west by the hill and on the south with the fence, four acres being land given for divisional land of Shashine and the other three acres for two acres of divisional land; fourteen acres on the plain above Joseph Parker's meadow, bounded on the west by land of Solomon Martinge, on the south by land of John Stevens, on the east by land of Richard Barker and on the north by John Aslet's land and the swamp, two acres being given him for two acres of his house lot and the other twelve for his division land; in the neck eight acres of land, bounded north and west by Shashine

† Autograph.

† Autograph and seal.

river, south by the swamp, east by John Rosis and Will. Balerd's land and the way that goes to Shashine; land for an acre on the west of land given to Bengemen Woodbrige, bounded on the south by the swamp and the Shashine river on the west and on the north by his own land; for fencing, all the waste land in the new field on the south side of the way that goes to Shashine field, not given out; five acres of meadow in Wade's meadow in the west of the Mesketoe river, bounded on the north by Richard Barker's meadow, on the southeast by a creek that comes out of Mesketoe river, and the meadow of Nathan Parker on the south, a stake on the south-west and upland on the west; a meadow above Shashine field, for three acres, with a meadow lying southeast of that meadow; two and a half acres of meadow in the north side of the pond above John Ros and John Lovejoy's, bounded by the pond on the south, upland on the west and east and by a white oak and maple on the north. Compared with the original by Dudley Bradstreet,* recorder.

John Granger, aged about twenty-six years, testified that some time last July being at his father Poor's meadow, called the Pond meadow, with Joseph Moreing, and having mowed it, Walter Wright, Moses Haggot and a boy were loading the hay and carrying it away. Deponent forewarned them, but to no avail. The hay was worth 8s. and the meadow 6li. Sworn, Mar. 25, 1681, before Nath. Saltonstall,* assistant.

John Granger and Danell Poore, both over twenty years of age, testified that the maple tree was fifteen or sixteen rods within Poor's land. Sworn in court.

"The Declaration and agreement of y^e Inhabitants of Andover att a Generall Towne Meeting y^e 18th of January 1663, Testifying and declaring that y^e persons impowred by the Genll. Court wth such others as they associated to themselves, did Covenant and agre at their first planting of this towne of Andover, to giue euey Inhabitant whome they receiued as a Townsman an house lott proportionable to his estate, or otherwise as he should reasonably desire, with suteable accomodations thereunto of meadow, and all other divisions of upland & plouging ground, that should afterwards be divided, & soe haue hetherto practised, upon Condition that they and their successors should bear & pay all rates & charges to Towne & Church according to their severall proportions of Land soe Granted them, which is hereby ratified & Confirmed untill by Genll. Consent this writing shall be altered or changed; Indeauring and intending to make all mens accomodations as suteable and equall as they Can according to their seuerall proportions the pryority of choise reserued

* Autograph.

according to psons Comming to y^e Towne, or as att their first planting here, was agreed upon & practised. That agreement made of late wth seuerall young men excepted, to whome only houselots & their diuision of upland were graunted without meadow, for which they are to pay only two thirds of their rates proportionable to their house lots, which is allsoe hereby Confirmed, Now whereas the s^d Inhabitants, att their first settling here, & since, hath not been soe carefull and exact, as they might and should haue been, for y^e due & true recording of all such graunts, as haue been made to pticular psons, some being lost, some not entered, others imperfectly, which in time to come may prove troublesome and pjuditiall to y^e owners thereof. Upon serious Consideration whereof, & that all mens proprieties & inheritances may be made clear and Certaine, whilst things are fresh in memory, & all disputes & questions about y^e same may be preuented, and avoyded for time to Come, the s^d Inhabitants did agree to nominate & chose seauen of ye Townsmen (viz:) Serjnt. John Osgood, John Frie, sen^r, Richard Barker, George Abbott, sen^r, Daniell Poor, Nathan Parker and John Lovejoy impowring them to view & examine all gifts and graunts made to pticular psons, from y^e begining of this plantation, until this psent, with other claimes by purchase or otherwise, and such as they finde clear & certaine to allow and Confirme und^r their hands, or y^e hands of some fwe of them, which being done, are to be recorded in y^e Towne booke, and to be esteemed & accounted as valid & authentick, as if they had been entered and recorded at y^e time when they were graunted, though y^e day & year of such graunts be not mentioned nor remembered. And for all other graunts or pretended graunts or claims of land, y^t may be made by any pson or inhabitant, & cannot be cleared to y^e satisfaction of y^e seauen men or some fwe of them (as aforesd) the recording thereof is to be suspended till their title be cleared, either to y^e seauen men as aforesd or y^e Towne in Gen^l leauing such claimes of pretended grantee to proue or make good his title or interest otherwise as he can. And this book to be accounted y^e only Towne book of Andoe^r for y^e recording of lands graunted by y^e Towne to their inhabitants," etc. Signed by Symon Bradstreet, John Frie, John Osgood, Richard Barker and Nicholas (his mark) Holt. Copy made, Mar. 23, 1680-81, by Dudley Bradstreet,* recorder.

William Chandler, aged about forty-five years, deposed that he was with the lot layers, Nathan Parker and John Lovejoy, when they laid out Poor's land, and having no ax with them they ordered said Poor to do the marking, which

* Autograph.

Mary Davis, administratrix of the estate of Ephraim Davis v. James Davis. Verdict for plaintiff, the land sued for. Appealed to the next Court of Assistants. James Davis bound, with Samuell Foote, as surety.*

he did later and took in more than they had allowed him. Deponent gave this evidence in to the Worshipful Mr. Brodstreet and this act of Poor was the subject of much discussion at the town meeting. Poor's request that he might have up to Thomas Johnson's bounds was granted. Sworn in court.

John Lovejoy, aged about fifty-nine years, deposed that the Worshipful Mr. Bradstreet told Poor at town meeting that he should not have the land so wrongly taken, etc. Also that the grant to come up to Thomas Johnson's bounds was upon no other account than that Walter Right might enjoy the meadow laid out to said Johnson. Sworn in court.

Joseph Moreing, aged about twenty-four years, deposed. Sworn, 25 : 1 : 1681, before Nath. Saltonstall,† assistant.

George Abbott, aged about fifty years, deposed. Sworn Mar. 25, 1681, before Nath. Saltonstall,† assistant.

John Farnum, aged about forty years, deposed concerning mowing this land twenty years ago, etc. Sworn, Mar. 25, 1681, before N. Saltonstall,† assistant.

*Writ: Thomas Johnson and Mary Davis, administrator of the estate of Ephraim Davis, deceased v. James Davis, executor of the estate of James Davis, deceased; for planting and keeping possession of land of said Ephraim, given him by said James Davis by deed and also bequeathed by will to said Ephraim by James Davis, deceased, which will was allowed at Salisbury court; dated Mar. 12, 1680-81; signed by Dudley Bradstreet,† for the town of Andover; and served by Robert Emerson,† constable of Haverhill, by attachment of land in the plain gate, so called, of defendant.

Plaintiff's bill of cost, 3li. 9s. 6d.

Copy of record of Salisbury court, Apr. 8, 1679, in which James Davis, jr., was appointed administrator of the estate of James Davis, sr., he renouncing the executorship of the will. Copy made by Tho. Bradbury,† recorder.

James Davis' bill of cost, 1li. 13s. 6d.

Stephen Dow deposed that he hired a piece of land of James Davis, sr., on the east side of the Great plain creek in Haverhill, bounded by the said creek, and on the south by Merri-mack river, on the east by John Page's land, and on the north by land possessed by Ephraim Davis, "which peece y^e s^d old man did lett to me for his owne he haueing reserved that peece

† Autograph.

for himself distinct from what he had lett his son Ephraim have, where the said Ephraim had built & then lived as I always understood." Sworn, 24 : 1 : 1680-81, before N. Saltonstall,* assistant.

James Sanders and Joseph Peasly, aged about thirty years, deposed that some time last summer James Davis, sr., ordered Sanders to mow the grass and cut the stalks of this meadow, saying that the widow Davis should have none of the fruits unless she could get it by law. Sworn in court.

Robert Clements and Robert Swan deposed that they were asked by James Davis, eldest son of James Davis, deceased, to appraise the estate, etc. Sworn, 28 : 1 : 1681, before N. Saltonstall,* assistant.

John Callam and his wife deposed that James Davis, sr., came to their house for said Callam to dig a grave for his father. Goody Callam asked him how long his father had been sick and he replied that he had not been troublesome above a month. Sworn, 25 : 1 : 1681, before N. Saltonstall,* assistant.

Estate that Ephraim Davis had from the will of his father: the plain, 100li. 2s.; Cow Comans, 20li.; to ox Comans, 10li.; to akers and half of medow, 12li. 10s.; 4 coves, 18li.; 150 akers of land not in the inventory, 15li.; sixteen sheep which his father let out to him on halves nine years since, and his father never had sheep nor wool; and he had of Daniell Ela, 5s. 4d.; total, 175li. 14s.

James Sanders deposed that old James Davis hired him to work on the land to the eastward of that upon which Ephraim Davis had built, and it was several years afterward that Ephraim lived upon the land above it to the westward. The lots were divided by a fence, and last summer the post holes and lines of the old fence were there, showing the division between old James Davises land and Ephraim Davises. Sworn in court.

Deed, dated Feb. 16, 1672, given by James (his mark) Davis, sr.,* of Haverhill, "in acknowledgment of the obedience of my son Ephraim," to said Ephraim Davis, thirty-five acres of land of which said Ephraim was possessed already, in Haverhill, bounded on the south by six or seven acres of his own land, on the north by the common, on the west by land in possession of Joseph Peaseley and the Great plain creek, and on the east by the land of Jno. Page, sr. Wit: Nath. Saltonstall,* commissioner, and Daniell Ela.* Recorded, Apr. 16, 1680, book 4, page 322, by Robert Lord,* recorder.

Nathaniel Saltonstall and Wm. White, appointed to adjust

* Autograph.

matters in connection with the will of James Davis, sr., of Haverell, reported that although James, the son, was not given a particular legacy, yet what he had had in his hands was sufficient to satisfy him for his portion; that meadow in Samuell Davis' hands and upland adjoining the thirty acres given Ephraim should be settled upon the administrator; James Davis, sr., having formerly as agent by letters from his son John Davis, made sale of his land which he left at Haverill upon his removal to Pascataqua about twenty years since, which John, since his father's death, denies because the order to his father in writing cannot be found, and threatenings being made against the administrator, they order that James, the administrator, keep all that was given by will to John Davis and his children, unless John release to James all that was given by the beforementioned writing; whatever bills were brought in on account of work done for their father by any of the children, or for any personal service done which is due from a child to a parent in his old age, they should be ashamed to demand of their father though he were for some years in the daily expectation of death, for what was absolute duty for them to do, and such debts were ordered not recoverable. Allowed by the court, unless objection were made at the next Ipswich court. Copy made by Robert Lord,* cleric.

Inventory of the estate of James Davis, given in to the appraisers, James Pecker, Robert Clement and Robert Swan, on Jan. 29, 1678, by James Davis, John Davis, Ephraim Davis and Samuell Davis: James Davis gave in four bills that Jno. Wells was debtor, 78li.; Ephraim gave in one cow, 4li. 10s., and ten sheep, 5li.; Samll. gave in 45 acres of upland, 78li. 15s.; 2 1-2 acres of east meadow, 12li. 10s.; James gave in 2 acres of east meadow, 10li., 5 acres of Pond meadow, 12li., 2 1-2 acres at the lower meadow, 4li., and 8 commonages, 30li., 220 acres of third division at Spickett falls, 45li., 5 acres of third division, some at Spickett falls and some at the meadow commonly called Pollecy meadow, 12li., 39 acres of upland, 136li. 10s.; 300 acres of fourth division land, 30li. His wearing clothes were appraised by James Pecker of Haverhill and William Sargent of Amsbery at 3li. Sworn at Salisbury court, Apr. 8, 1679, before Tho. Bradbury, recorder. Copy made by Tho. Bradbury,* recorder.

James Davis testified that the land he hired of his father the latter gave him by will. Sworn, Mar. 28, 1681, before Nath. Saltonstall,* assistant.

Joseph Peasle deposed that he helped to tend corn on this land, etc. Sworn in court.

* Autograph.

John Denis and his wife v. Thomas Hobs and his wife.
Slander. Verdict for plaintiff. The wife of Thomas Hobs

Copy of the will of James (his mark) Davis, sr., of Haverhill, dated Mar. 17, 1675-6, brought into Salisbury court, Oct. 14, 1679: "knowing assuredly y^t all men are mortall, & y^t young men may die suddenly & old men must die & how suddenly my owne time maybee in these desolating times wherein y^e enemy seeks y^e destruction of our New England Israell . . . I giue to my sone John Davis all my third division of land in Haverhill wth all y^e additions belonging to it according to y^e grant of y^e towne of Haverhill together wth my third division of meadow in haverhill. I giue unto James Davis y^e sone of my sone John Davis y^e one halfe of my forth division, or y^e full right to y^e one halfe of my forth division of upland in Haverhill, it beeing not yet layd out I giue to my sone Ephraim Davis all y^t land being thirty acres more or less w^e hee hath built upon joyning to y^e great playne in Haverhill I giue him also y^t halfe of my East meadow w^e I made use of for my selfe, I give him also all y^e sheep and other cattle w^e hee hath of mine in his hands. I giue to Steven & Ephraim Davis y^e sonns of my sone Ephraim Davis y^e other half of my fourth division upland to bee equally divided between them when it is layd out my son John Davis his sone James or his Agent, being to haue his first choyce of his halfe I giue to my sone Ephraim Davis two oxen commons & also five cow commons. I giue to my sone Samll. Davis my second division of upland & one oxen common & also three cow common & all in Haverhill. I giue to my daughter Sarah the wyfe of John Page Jun^r y^e one halfe of my pond meadow & also y^e goods of mine w^e her husband hath in his possession excepting only my warming pan. I giue to James Gild y^e sone of Sam^l Gild y^e one halfe of my pond meadow, my daughter Sarah or one in her behalfe being to haue the first choyce;" son James, executor, to whom he left all his other estate. Wit: Nath. Saltonstall, and James (his mark) Swaddocke. A codicil, dated July 22, 1678, revokes the words "to Jn^e Page jun. three cow commons," and appoints William White and Nath. Saltonstall, both of Haverhill, overseers, to see that justice is done his eldest son James. Copy made by Tho. Bradbury,* recorder. Recorded in Norfolk records, book 3, page, 29, on Nov. 5, 1680, by Tho. Bradbury,* recorder.

Letter of attorney, dated Mar. 28, 1681, given by James Davis, sr.,* of Haverhill, in case he should be away when the case came to trial, to Daniell Ela of Haverhill. Wit: Nath. Saltonstall,* assistant.

* Autograph.

was ordered to make acknowledgment in the public assembly at Wenham within a month, it having been proved that she had slandered the wife of John Davis in calling her names and saying that her child was a bastard.*

John Hibbert, attorney to Nath. Walderne, executor of the estate of Edward Waldron, deceased v. Thomas Baker. Verdict for plaintiff.†

Wm. Armitage, bound over to the Worshipful Wm. Brown, Esq., and Bartholmew Gedny, Esq., for speaking against authority, defaulted, and his bond was declared forfeited.

Richard Long and Ann, his wife, confessed fornication, and were fined.‡

Anstis Maning and Margret Maning, now Polfery, for incest, their brother Nicolas Maning being implicated, were committed to prison until morning, and then at Ipswich to be whipped upon the naked body. At the next lecture day at Salem they were to stand or sit upon a high stool during

*Writ: John Denise and Ruth, his wife v. Thomas Hobbs and his wife; slander; dated 2 : 10 : 1680; signed by Thos. Fiske,§ for the court and town of Wenham; and served by Samuell Moulton,§ constable of Wenham, by attachment of the dwelling house of defendant.

William Knowlton, aged about thirty-six years, and John Knollton, aged about thirty-four years, deposed that they heard Mary, wife of Thomas Hobs, make these charges at John Abey's house, and she said she could prove them. Sworn in court.

†Writ, dated 23 : 1 : 1681, for not performing an obligation for land, dated Mar. 15, 1678, and going out of this jurisdiction without giving any security, he having secured a deed of said land, signed by Thos. Fiske,§ for the court and town of Wenham, and served by Samll. Corning,§ constable of Beverly.

John Hibbert's bill of cost, 1li. 17s.

Bond, dated Mar. 15, 1678, given by Thomas (his mark) Baker to Edward Waldern of Wenham, for the payment of 30li. in corn, English goods, cattle and money, for land, to be paid at the now dwelling house of said Waldern in Wenham. Wit: Tho. Fiske§ and Robert (his mark) Hibbert.

Letter of attorney, dated Feb. 25, 1680, given by Nathaneel Waldren|| of Salem to his brother-in-law, John Hibbert, of Wenham. Wit: Nathaniel Felton§ and Benjamin Fuller.§

‡Salisbury presentment.

§ Autograph.

|| Autograph and seal.

the whole time of the exercise in the open middle alley of the meeting house, with a paper upon each of their heads, with their crime written in capital letters, the constable of Salem to see it performed. By the payment of 5li., the whipping was respitted. Said Nicolas had fled.*

*Copy of records of the Salem court in this action, 30 : 9 : 1680, made by Hilliard Veren,† cleric.

Elizabeth Watters, upon examination on Dec. 3, 1680, testified that on a public meeting day last winter at night, there was quarrelling between her master, Nicholas Manning, and his wife, and the latter left the house and lodged in another place. She testified to the relation between said Manning and his sisters Anstice and Margaret, etc. Sworn, 3 : 10 : 1680, in Salem court.

Ann Kelegrew and Grace Tiver, aged about twenty-two years, deposed. Sworn, 3 : 10 : 1680, in Salem court.

Elizabeth Preist and Bethia Allen testified that while they lived in the house with their father-in-law, Nicholas Manning, he was uncivil to them, etc. Sworn, 3 : 10 : 1680, in Salem court.

Elinor Holingworth testified that Ann Kellegrew had lived with her about a quarter of a year, and she had not seen any evil carriage about her, either by cursing or lying. Sworn in court.

Elin Maskoll testified that Elizabeth, wife of Nicholas Manning, said that she had seen enough of his actions to clear her from him, but was afraid to speak about it. Sworn, Dec. 3, 1680, before Bartho. Gedney,† assistant.

Petition of Elizabeth, wife of Capt. Nicholas Manning: that for about half a year through terror of her husband and his sisters, being afraid of her life, she was obliged to go to live with one of her poor daughters, not having any means to maintain herself; that he never looked after her nor gave her any maintenance all this while, neither did he desire her return until the night before the accusation came against him, which she knowing nothing of, in her simplicity, was overcome by his fair speeches and went home with him that night; that "finding his intent was to make use of me butt as a cloake (alas I knew so much of him & his sisters y^t hath been a terror to me) And wheras he is gone and Cannott be found, & I am forced to returne againe to my poore daughter;" that his estate, which also is hers, but which he may have made over to somebody else, be placed in the hands of the selectmen for her necessary maintenance, that she might not be a charge to the town.

† Autograph.

Elizabeth, wife of Luke Perkins, presented for most opprobrious and scandalous words of a high nature against Mr. Cobbit and her husband's natural parents and other relations of his, which was proved, court ordered that in order that due testimony might be borne against such a virulent, reproachful and wicked-tongued woman, she be severely whipped on the naked body, and to stand or sit the next lecture day in some open place in the public meeting house at Ipswich during the whole time of the exercise with a paper pinned on her head on which is written in capital letters, "FOR REPROACHING MINISTERS, PARENTS AND RELATIONS." By payment of 3li. the corporal punishment was respitted.*

Petition of Walter Polfery, Margret Polfery, his wife, and Anstice Maning, Apr. 1, 1681, to the Ipswich court, that the money to be paid as a punishment be remitted, they being fatherless and strangers in a strange country, etc.

Petition of Anstice Manning:† that her daughter was innocent, she having been in her company constantly ever since coming to this country, and she hoped God would change the heart of her son Nicholas, etc.

*Petition of Elesibeth Pirkins:† "i confes that i haue sined in a ueary hy degree both aganst god and man and haue disonored my frends and Relacons and discredited and brought staine upon my silef and allso haue both foullishly and bouldly haue Reproachfully spooken aganst thos that i ought to Reverans and oner and haue brought a scandall oupon Relidgon fore which i dou desier to humbell my self before god and this onerid corte and dou desier the prars of this onered cort the Lord would fore giue my notorus sins and i dou desiar that all that hear of this may tack warning by me and intreat your oners to shew what fauer," etc.

Mary Spofford, aged about twenty years, testified that one day the past summer Isarel Woodcok happened to be in her company, which was the first time she had had any discourse with him. What he said to her surpassed all bounds of civility or modesty concerning his relations with Luke Perkins' wife. Sworn in court.

Elizabeth Sandi, aged about nineteen years, deposed that Isaabel Woodcock asked if he might gather some pears in her orchard, etc. Bonus Norton and Elizabeth Sandi deposed that Luke Perkins' wife said she loved Woodcocke above all men in the world. Sworn in court.

John Sady and Bonus Norton deposed that "it is a Com-

† Autograph.

Luke Perkins, for base words against the minister, was sentenced to be whipped.*

mon thing that what Luke's wife sayes he will say so." Sady asked him what suet was a pound and Luke said 5d. His Wife bade him say 3d. and then Luke said 3d. Sworn in court.

Bonus Norton† deposed that he heard Luke Perkins' wife say that Mr. Cobbet preached nothing but "a Little homine," and she cared nothing for baptizing; that Abram Perkins was a thief and stole the black horse which he sent in Mr. Wainwright's ketch from her brother Emerson, and that he stole his black mare from Goodman Engals; that Nathaniell Perkins was sent into the cellar to draw some beer and there assaulted Ruth Blake; that Mrs. Sarah Rogers came to meeting on the Lord's day with her face colored with berries, and Luke's wife said that she told her that the seeds of the berries stuck all about her cheeks; that Simon Wainwright assaulted a cordwinder's wife; that one time when she was at Woodcok's she was afraid they would kill Luke and so they made haste to go home, Woodcock going part way with them; he fell down dead and they took him up and away they went, she saying that she believed she cried for eighteen or twenty miles.

John Sady and his wife deposed that Luke's wife told them that Josiah Clark assaulted Mary Spaford and her husband was troubled and asked his father how he could put up with it, being a church member.

Francis Young testified that Luke's wife said, after she came from Woodcock's that she was at her father Perkins and carried the Major General a glass of brandy, who said, "O bety you are wellcome to towne." This discourse was at the Quartermaster's house. Sworn in court.

John Sady affirmed concerning what Israell Woodcock told him when they were at the marshes. Sworn in court.

John Gammig, aged thirty-seven years, deposed that he had heard Quartermaster Perkins call his son Luke a poor contented fellow and his wife vile names, and also heard Luke's wife call the Quartermaster old rogue, etc. Sworn, Mar. 18, 1680, before Daniel Denison.†

She was presented for saying that her father, mother and Abraham, Jacob and Sarah Perkins were of the company of Belial and she would be glad if they were all tied back to back that she might see them carried to the gallows to be hung; that her mother had one foot in hell already and the other would be there quickly. Wit: John Sady and Elizabeth Sady.

*Presented for saying that Mr. Cobit was more fit to be in

† Autograph.

In the case of John Simmons and his servant, Thomas Bettis, court ordered that the servant return home with his master and recompense him for the damage sustained by his running away. Bettis was to serve him six months more than his time, and Simmons was advised moderation in the usage of his servant, and if he could agree with some other suitable person, to dispose of said servant.*

a hogsty than in a pulpit, and that he had been a vile man in his former days. Wit: John Gamage's wife.

*Warrant, dated Mar. 17, 1680, from Nath. Saltonstall,† assistant, to the prison keeper at Ipswich to receive Thomas Bettys, and to the constable of Bradford to deliver him.

Benjamin Kemball, aged forty-five years, deposed that a year ago last winter Thomas Bettys came to his house in the evening and stood outside the door. It was raining very hard and deponent asked him his business, but he answered hardly at all, so he bade him go home with one of Goodman West's boys. The next morning deponent, finding him in his barn quaking with cold, in mercy to a rational creature asked him into the house to warm himself. He wore very thin clothes, not suitable for the season.

Bill of cost of Nathan Webstor,† constable of Bradford, who went three miles to seek Thomas Bettis, etc., 10s. Samuel Hart was bound for said Bettis' appearance at the next Ipswich court. Sworn, Mar. 18, 1680, before Daniel Denison.†

Thomas Bettis' declaration: "my master haith this manieares beaten me upon small or frielouse ocasion I haue indeuored to please and giue my master content but I seldom can: he brocke my hed twice, strucke me one the hed wth a great stick: wth stick was tow long to strike me in the house for the flore: he brocke it upon his knees and then he strok me one the hed and stounded me I fell downe against the wall: the blood ran downe all my cloths to my feett my master tooke me up and washed of the blood wth a pigin of watter he feched sum suger and bound it up wth a cloth I was so disie all day that I cold nethr well se: or stand up right: my Arme wos so sore wth beating me att the same time that it was all black and blew: I cold not lift it up to my hed: yett my master wold haue me goe to worke as sune as I cold and becase he had so beat me that I cold not keepe up wth my cumpani as I used to doe: my master told me that I was a hipokritte: after this I was abused seuarall times by him: one time he tied me to a beds foott: another time to a table foott: and also to a cradell foott and euery time beate

† Autograph.

Andrew Peeters was allowed costs in an action brought by Luke Perkins and his wife Elizabeth and not prosecuted.*

Francis Quilter was fined upon her presentment.†

me cruelly: and I was almost starved for want of cloth in the winter season in spesall when I stood in most need of cloths my first dame wold allwaise diswade my master and prayed him not to beate me: but this dame sets him one: I haue bin so abused that I am afraid to liue wth him ani more or ani longer and if your honars please to order me to liue wth ani other master I am willing, but not to liue wth him."

John Boynton, aged about thirty years, deposed. Sworn, 25 : 1 : 1681, before N. Saltonstall, ‡ assistant.

Shu. Walker, aged about forty-two years, deposed that he lived near John Simmons and Bettes was a very naughty boy, etc. Sworn, 23 : 1 : 1681, before N. Saltonstall, ‡ assistant.

Samuell Emarson, aged about seventeen years, deposed that he had lived with his master Simmons about four years and Bettis was very rude in the family whenever his master was away, etc. Sworn, 25 : 1 : 1681, before N. Saltonstall, ‡ assistant.

Martin Forde, aged about twenty years, deposed that he heard Betts say that his master allowed him enough to eat and drink, etc. Sworn, 25 : 1 : 1681, before N. Saltonstall, ‡ assistant.

Nathan Webster, aged thirty-five years, deposed that in winter Betteys came to my house without any hat and very thinly clothed, etc. Sworn in court.

John Grant, aged about twenty-two years, deposed that living at Simmons' house, he had seen the latter beat Bettys so that he fainted. Also that at one time he tied him to a cradle, having pulled off all his clothes to his shirt, and whipped him with three cords tied to a stick so that he brought blood, while he asked the boy if he loved him. The boy said yes and he beat him again. At another time, when the boy was going out to work, Simons called him in and bade him blow the fire, etc. Sworn in court.

*Andrew Peeters' bill of cost, his journey from Specket, two days, also John Gamage's charge from Specket and returning home again, etc., 1li. 17s. 1d.

†Answer of Frances (her mark) Quilter, widow, to her presentment: that the presentment was two years old and therefore void; that the pewter or pot which she was accused of taking was found in her husband's woodpile, upon their own ground, by her maid servant the day her husband Quilter died, which was about two years ago; that she supposed her

‡ Autograph.

Walter Fairefield being presented by the selectmen of Wenham to keep an ordinary or house of public entertainment there, court granted the petition for the present accommodation of strangers only according to law. For the future, neither he nor any other ordinary keeper should have liberty to be an attorney or plead in open court in any case but his own, and the selectmen were given liberty to nominate any other meet person, and present him to the court for an ordinary keeper, who did not follow the law, as Walter Fairefield had done.*

John Marsh had his license renewed for a year.

Samuell Colby of Amesbury had his license renewed for a year.

William White of Haverill had his license for cider renewed for a year.

John Mighill had his license renewed for a year.

John Spark had his license renewed for a year, also his license to draw liquors.

husband had laid it there to keep it from her, as he did his money; that she might, as they allege, have ordered her servant to set it in the oven, as she was troubled, her husband being at the point of death; that although she sold it to her sister, who afterward went out of the town, yet she was an inhabitant when she sold it, and to say that she sold it out of town was not true.

Francis Young† deposed that there was a pewter chamber pot lost from Mr. John Waynright's while he lived there. Frances Quilter told her she sold it to her sister Woodman for 3s. Deponent said if it were Mr. Waynright's, it had letters on it. Her maid Peggy said she saw the letters and that her mistress put the pot in the oven while the goods were inventoried. Deponent told her that he would send the constable of Nuburye to search her sister's house, whereupon she sent her maid to Nuburye to get it. It had a J and a W plainly upon the handle.

Ann Pegaea, aged about seventeen years, deposed that the day Joseph Quilter was looking for the money, her dame told her to bring in the pewter for fear he would get it. There were three letters upon the upper part of the handle, J. E. W.

*Copy of the approbation of the selected townsmen of Wenham, Richard Hutten, Richard Dodg, William Fiske and James Freind, given, Jan. 3, 1680, at a town meeting.

† Autograph.

Edward Hassen had his license renewed for a year.

Quartermaster Perkins had his license renewed for a year, also for wine and liquors.

John Stone of Beverly had his license renewed for a year.

Peeter Duncan had his license renewed for a year, also for wine and liquors.

John Bullock had his license renewed for a year.*

Peeter Pate, presented for absence from his wife, told what means he had used to get her to come and live with him. Court ordered him to make arrangements with some master of a vessel that goes to Virginia to bring her and report to the court under the master's hand what had been done. He was to pay costs to Andrew Greely and — Aires.†

*Copy of the approbation of the selectmen of Salem, on 29 : 1 : 1681, by John Hathorne,† recorder.

†James Pecker, sr.,† of Boston, sometime an inhabitant at Haverhill, certified, on Jan. 17, 1680, that upon request of Peter Patta of Haverhill in 1679 he took letters which Patta had written to be delivered to his wife, if alive, at Varganah. The letters were not sealed and he asked said Pecker to read and direct them to the places where she might be. Patta earnestly desired her to come to him in New England, said he would pay her passage and gave her other encouragement. Pecker delivered the letters to men who would be careful of them, but he never heard anything from them, although he had inquired of men who came from the same town to which the letters were directed.

"Peter Patee having lived neare three yeares in this Country, & bene in service in the warr, & somewhat wounded, & living without offence in the Towne of Haverhill for some space of Time, as I am Informed, I doe allowe him to dwell in the Country. Dated 9th of April 1678. Samuel Symonds,† Dep. Govern."

George Browne† deposed, on Mar. 27, 1681, that when the Deputy Governor gave an order to Pate to remain in the country deponent told the court that he had left his wife in Virgini and that he was a wounded man. Ensign Pecker engaged to send the letters to Virginia, etc.

Nathaniel Ayer deposed that he heard Peter Patye say a year and a half or two years ago that he had left a wife and child in Virginia about two years before. Sworn, 26 : 1 : 1681, before N. Saltonstall.†

† Autograph.

William Longfellow, acknowledging the crime of killing a bullock of Joseph Plummer's, valued at 4li., was ordered to pay 12li. to said Plummer.*

Samuell Shepard of Haverhill† certified, Mar. 29, 1681, that he wrote the letters for Peter Pateye.

*Warrant, dated Dec. 17, 1680, for the apprehension of Willm. Danforth and William Longfellow, also summons to Philip Squire and Mary Smith as witnesses, signed by Daniel Denison.† The constable of Newbery was directed also to search for a hide and horns of the beast.

Willm. Danfort and William Longfellow confessed that, on Oct. 25, at night, they with Philip Squire killed a red brindle steer which they believed to be Joseph Plumer's and Longfellow carried the quarters into William Danfort's house. Owned before Daniel Denison.†

Joseph Plumer's bill of cost, 2li. 2s. 8d.

Willm. Longfellow's† petition: "That your unworthy petitioner doth fall down at your Worships feet & in all penitent wise as formerly) doth confess his fault that he is now Legally Convicted of, that is of a very odious nature; & is deeply sensible of Goods dishonour this Court's trouble the greife of his friends & Injury to his Neighbour which by this his high handed wickedness he hath scarce Enjoyed himselfe ever since y^e Commission; & doth himself Earnestly, & desires y^t otheres may with him begg God's pardon of it And moreouer doth humbly craue leaue to inform your Worships, that besides y^e naughtyness of my own heart, I was for a Considerable time frequently & earnestly solicited to join in doeing what I did; & after y^e fact prevailed with by the saime ill meanes not to discose it And the guilt of my Crim laid so Heauy on me that I Confessed the saime before Arested for it; your poore petitioner being also sencible of the Low Estate of his famely occationed in a great measure through my own defalt doth with all Lowly submission beseech this honoured Court that my sentence may be with as much grace & fauour as may consist with a suitable Testymoney against so grevous a Transgression of the Lawes of God and this Jurisdiction Hopeing that through y^e supply of god's Grace it shall be, efficacious to warn others to fly sin and especially your unworthy Petitioner who shall humbly submit to; & ever pray for your worships."

Edward (his mark) Lumas of Ipswich, on Dec. 20, 1680, gave bond for William Longfellow's appearance

Philip Squire, aged about twenty-five years, and Mary Smith, aged about twenty-six years, deposed that they lived

† Autograph.

Henry Bennet and Wm. Hayward not bringing into court Wm. Danford their bond was declared forfeited. Said Danford was committed to goal upon complaint of Joseph Plummer concerning an ox and bailed by Henry Bennet and Wm. Hayward of Ipswich, who could not bring him in because they did not know where he was. Court ordered that the sum in the bond be levied, 6li. of it to be delivered to William Longfellow, his partner in the said offence, in part of the 12li. ordered to Joseph Plumer by law for his ox, and that 20s. be delivered to Robin Robinson, the Scotchman, for satisfaction for his pigs that he lost.*

Edward Phelps was fined for drunkenness.†

John Browne was admonished upon his presentment.‡

Tho. Joanes of Manchester dying intestate, his sons Abraham Joanes, Tho. Joanes and Ephraim Joanes were appointed administrators, and they brought in an inventory in two papers which they filed.

Haverill was presented for not having a schoolmaster, but

at Wm. Danford's the latter end of last October when Longfellow was there and they planned to kill the steer. They led the steer behind the hill on the back side of the house, and Longfellow held him by the horn and the rope and Danforth struck him down. Longfellow struck him two more blows and then said to Squire, "Philip doe you tacke the axe and strike ablow that you may be one of us or else you will discoufer us." After they had flayed and quartered him, Longfellow took a sheet, laid it on his shoulders and brought the four quarters to Danford's, leaving Squire to bury the hide in the pine swamp near the house. Sworn before Daniel Denison.§

*Bond, dated Dec. 18, 1680, given by Henry Benet§ and William Hayward§ for William Danford's appearance.

†Will. Sayear testified that he saw Edward Philps of Andover so overtaken with drink that he was not rational in words or behavior and reeled like a drunken man. At that time Mr. Rich. Dole admonished him. Sworn, 30 : 1 : 1681, before Nath. Saltonstall,§ assistant.

‡John Brown, glazier, of Ipswich, was presented for disorderly behavior in his own house by reason of which his wife and children were forced to forsake the house and also for spoiling his own goods. Wit: Roger Dorby and John Edwards, sr.

§ Autograph.

finding that some provision had been made for teaching children, they were released. Court further ordered that the town before the next Ipswich court provide an able and meet schoolmaster who will constantly attend that service, and that the school be kept near the centre of the town.*

Sarah Lambert, for fornication, was ordered to be whipped or pay a fine.

Joseph Williams was appointed administrator of the estate of his mother, Jane Williams, and brought in an inventory.

Richard Holmes was fined upon his presentment.†

*Copy from the selectmen's book for acts and orders, taken on Feb. 4, 1680, by Nath. Saltonstall, ‡ recorder for the town of Haverhill: "The 5th day of March 1679-80. Considering y^e great necessitie of helping children & youth & others in y^e knowledge of God, & his Holy wayes, y^e which one great help to attaine unto is Reading, And y^e writeing is also very necessary; Therefore Wee have taken as much care as wee can Wee have made choice of Rob^t Ford for to teach all those to write & also Arithmetick y^t shall come to him for y^t end; & y^e s^d Ford have engaged to doe this worke, & to pforme y^e duty of a Faithfull Schoolemaster dureing this yeare only. And for Reading, Wee have chosen y^e wife of Rob^t Collins & agreed wth her; And also wth y^e wife of John Maccallum wth her consent, And also y^e wife of Robert Hastings. All these for to take children & youth to read. We have also published this above written y^e first Traineing day that was in this yeare in our Towne. Daniel Lad, senir, George Corlis, Thomas Ayers, Robert Ford, Josiah Gage."

†Mary Grant's bill of cost, 17s. 6d.

Samuel Philips‡ testified that Goodwife Grant, being ill and full of pain, from a fall which brother Holmes was, as she said, accused of, caused by a thrust upon her breast, whereby she was thrown backward upon the ground, sent for him. She was ill as was evidenced not only by her complaint, but by her countenance and inability to rise from her seat. She acknowledged that she had spoken foolishly against deponent and he said he was satisfied.

William Duty testified that last fall, being at his master Harris' door, he saw Goodman Holmes in his orchard chasing a hog with his dog, and having a stick in his hand that was in the fence when he went over it. The hog was Goodman Grant's and the latter's wife ran to scare the dog off, whereby Holmes pushed her down, and when she cried out to her husband, Holmes said she fell down herself.

‡ Autograph.

Mary Grant was admonished upon her presentment.*

Tobiah Perkins was sworn constable for Topsfield.

George Abbot was sworn constable for Andover.

Mr. Samuell Worster dying intestate, court granted administration upon his estate to Elizabeth Worster, the widow, who brought in an inventory amounting to 384li. 9s. clear estate. The widow was ordered to have 54li., and the rest of the estate to be equally divided among the eleven children, the eldest son to have a double portion, each share amounting to 27li. The house, barn and 200 acres of land were bound, the children's portions to be paid at age, and the widow to have the estate for the bringing up of the children. Should the estate diminish without fault of the administratrix, pro-

Ann Downes testified that her dame was very ill, etc.

Mary Grant testified that she was so injured that she doubted if she ever would be as well as she was before.

John Grant testified to the injury his wife received.

Mary Grant testified that, speaking in a friendly way to neighbor Holmes about mending fence, he said that she deserved to have a rope around her neck for meddling with such things.

Rowley presentment.

*Elizabeth Broadstreet and Elizabeth Holmes deposed that, being at the house of Nathl. Harris last week and the wife of Jno. Grant being present, the latter said it would not be long before Elizabeth's father would have to appear in court in the case with her, and pointing to Holmes' house said it was the murdering house. Sworn in court.

John Harris, sr.,† testified that his near neighbors, John Grant and his wife, were as far as he had had dealings with them, neighborly and loving, etc.

Samuell Mighell, aged about fifty-one years, Elizabeth, his wife, aged about forty-six years, and Abraham Jeuit and Johnathan Hariman deposed that they being at Samuell Mighell's house last Indian harvest, Mary Grant told Richard Holmes that he was a bastard of the worst sort. She also said, "You a chิร์ch member, you are not fit to liue upon the earth."

Elizabeth Mighell deposed that from her house she saw Richard Hoomes and Mary Grant come from the field gate and heard him say "if I cannot deall with you athoriti can." She replied that she did not care for authority, for the magistrates, for the ministers nor for the Governor himself.

† Autograph.

portionate abatement was to be made on the children's portions.

Sarah Stickny, widow, was ordered to be whipped for fornication, unless she pay a fine.*

Obadiah Wood, presented for selling beer and cider without a license, was fined, but the fine was respitted until the court should take further order.†

John Downeing was fined for being drunk.‡

Mrs. Margret Bishop dying intestate, administration upon her estate was granted to her son Samuell Bishop, who brought in an inventory amounting to 710li. Samuell Bishop bound.

Whereas the house and land of Obadiah Bridges was bound for the payment of the children's portions, 16li., court released the house to Nath. Rust, he giving as security six acres of meadow at the west meadows with his own bond of 30li. for the payment of the said portion. Said Rust was bound.

Administration upon the estate of Thomas Joanes of Manchester was granted to his sons Abraham, Thomas and Ephraim Joanes, who brought in an inventory.

Mr. Samuell Worster dying intestate, administration upon his estate was granted to Elizabeth Worster, the widow.

Jane Williams dying intestate, administration upon her estate was granted to Joseph Williams, her son, who brought in an inventory.

Benjamin Lowle was licensed to make sturgeon, provided he deliver to the marshal for the use of the court yearly one "joale" of sturgeon.

Thomas Teuksbury, complained of for absence from his wife contrary to law, was ordered to depart to his wife before the next court upon penalty of 20li.§

*Newbury presentment. She had a child born in January last. Wit: Elizabeth Brown and Sara Hains.

†Ipswich presentment. Wit: Sergeant Waight and Rich. Bedford.

Petition of Obadiah Wood|| that his fine be respitted.

‡Ipswich presentment. Wit: Sergeant Waight and Arter Abbot.

§Newbury presentment, for absence from his wife several years.

|| Autograph.

List of presentments, signed by Tristram Coffin,* for the grand jury:

Joseph Parker and his wife of Andover, for fornication.

Samuel Wakfeld of Salem, for travelling on the Sabbath day from Andover to Salem. Wit: Leiut. John Osgood and Ensign Thomas Chandler.

John Grandear and his wife of Andover, upon suspicion of fornication.

"Whereas Mr Jer. Hubbert of Topsfeild hath at severall times, and in severall places, both publickly, and privately uttered severall reprochfull and scandalous speeches both agaynst y^e elders & messengers of y^e church who met y^e last summer at Topsfeild, and also agaynst y^e Inhabitants of Topsfeild, all or some, I thought good in y^e behalfe of my selfe and fellow elders to make a complaynt thereof to this Honored Court, that they would please to take it into consideration, y^t his virulent speeches might be restrayned for y^e future, and such as have been so unjustly wronged by him, might receive satisfaction, as yo^r selves shall judge meet. "March 31; 1681 Yo^r servant William Hubbard.*"

"A complaint being put into this Court by Mr W^m Hubbard on behalf of himself & others ag^t Mr Jeremiah Hubbert of Topsfeild for reproachfull & scandalous words perniciously vented & published in many places & y^t publicly ag^t y^e late Councill of Elders & Messengers at Topsfeild, and y^e people of Topsfeild some or all of them: This Court doth order the Clerke of this Court to send out forthwith a Summons to y^e Marshall of Ipswich to warne Mr Jeremiah Hubbert to appeare at y^e next Court at Salem to answer y^e complaint, unlesse that y^e said Jeremiah Hubbert shall above a fortnight before s^d Court appeare before y^e Hon^d Major Genll. Denison & give such satisfaction as he shall judge meet, The s^d Mr W^m Hubberd, & neighbouring ministers offended havine convenient notice given them of y^e time of his appearance before y^e s^d Maj^r Generall. And y^e Clarke is ordered to makg returne of this act to s^d Salem Court & y^e marshall of y^e warrant also by w^{ch} he shall summon Mr Jeremiah Hubbart unless y^t y^e Maj. Genll. shall have before y^e time limited issued y^e matter."

Francis Dane's* letter, dated Andover, Mar. 28, 1681, to the Ipswich court: "Understanding that our Towne was presented for want of a Schoolmaster, I thought it my duty to signify that for these thirty & two yeers I haue taught any Schollers that they Sent to me to learne to write, and some in their Grmmar, & if God lengthen out my time I shallbe willing to doe it."

* Autograph.

Sarah Gage, widow of John Gage, dying intestate, administration upon her estate was granted on July 21, 1681, by Major Genrll. Denison, Esq., and Major Appleton, Esq., to John French and William Smith, two of her sons-in-law, who were ordered to bring in an inventory to the next County court.

Thomas Gidding dying intestate, administration upon his estate was granted on July 28, 1681, by Major Genrll. Denison, Esq., and Major Samuell Appleton, to Deacon William Goodhue and the widow of said Thomas, who were ordered to bring in an inventory to the next Ipswich court.

Wm. Ilsly, son of Wm. Ilsly of Newbury, deceased, declared on Aug. 11, 1681, before Major Genrll. Denison, Esq., that he had considerable objections to his father's will, and on Sept. 27, 1681, he declared that he and his brothers had agreed.

"In the yeare 1680 Meres Tucker was Hired to be Scoole-master for the town of Salsbury by me William Osgood sener in y^e behalfe of y^e Selectt men as one of them to whom it doth concern and to teach all that should com to him to Read and to write by me William Osgood.* Witness Meres Tucker."

From Salem Commissioners' Court files:

James Scelton and William Pow testified that Thomas Stevens and Rebecca Harris had lived together as man and wife for some months past and they had often said they were married. Robert Laverenc testified to the same. Sworn, 10 : 12 : 1680, before Wm. Brown, assistant, and Bartho. Gedney*.

Jno. Wilkinson, aged about thirty-six years, testified that last night he was at the house of Robert Laueranc and went in when constable Norman did and there saw Samuell Gatchell, William Armitage, Jonathan Gatchell, William Pow's wife and Robert Lauerance's wife beating a man whom they had gotten down. Richard Clattery testified to the same and also that the man who was so beaten was Robert Laverence. Sworn, Feb. 10, 1680-1, before William Browne and Bartho. Gedney,* assistants.

James Pittman, aged about twenty-nine years, deposed that he had often seen abusive carriages at the house of Robert Laueranc and had told the latter's wife that if it was his case he would use means for redress. William Armitage threatened to beat him for saying it, and being near the said house William Pow's wife and Laurence's wife hauled him into the house and locked the door on him. He further testified that he had seen Samuell Gatchell in the morning before day with Robert Laverance's wife. Sworn, Feb. 10, 1680-81, before William Browne, assistant.

Thomas Smith, aged about forty-five years, testified that he had came home the last night from his work about seven or eight o'clock, and after he had gotten into his own house he heard a great outcry, "Murder! Murder!" at the house of Robert Laveranc. Deponent went to their door and heard a great noise of fighting and crying inside. Upon going in he met William Armitage to whom he said it was a shame to let neighbors kill one another. There-upon Armitage took him by the collar and also struck James Scelton, break-

* Autograph.

ing his head, and then turned upon deponent and gave him a blow on the eye. Several people came in, including constable Norman with his staff, who commanded peace, but Armitage was very unruly and swore that he cared not for authority. Sworn, Feb. 10, 1680, before William Browne and Bartho. Gedney,* assistants.

John Harris, aged about forty years, and Tho. Smith, aged about forty-five years, testified that the last Sabbath day night, about nine or ten o'clock, they heard a great outcry and fighting at the house of William Pow. Sworn, 10 : 12 : 1680, before Wm. Browne and Bartholomew Gedney,* assistants.

Jno. Dimont testified that he asked Robert Laveranc's wife why she entertained such company at her house and she replied that she would do it in spite of him or any man or in spite of the devil. Sworn, 10 : 12 : 1680, before Wm. Browne, assistant.

William Cock testified that having his lodging under the same roof where Robert Laverance lives he had often seen very uncivil carriages there. The day before he saw Samucl Gatchell, Jonathan Gatchell and William Armitage come into the house and saw said Samucl kiss the wife of Laurence. When deponent came home at seven or eight o'clock that night James Scelton's wife told him that she was afraid they had killed her husband, asking deponent to rescue him. He found Armitage and Samucl Gatchell beating him. Sworn, Feb. 10, 1680-81, before William Browne, assistant.

James Skillton, aged about thirty-six years, testified.

Griffin Jonnes, aged thirty-five years, testified that he heard Robert Laurence's wife call her husband a bald-pated old rogue and struck him with her fist. Also that Laurence had lain in deponent's house nearly a week because Armatig and Samucl Gatchall lay in his house continually and he was afraid to go home. Armitage told him of his relations with Will. Pow's wife. Sworn, Feb. 10, 1680, before William Browne, assistant.

Constable Richard Norman testified to being called to the house, which he found full of people, and when he entered the candle was put out and he received several blows. He defended himself with his staff and caused the candle to be lighted. Edward Dimont, aged about thirty-nine years, and Robert Laske, aged about twenty-two years, testified to the same, they going with the constable. Sworn, 10 : 12 : 1680-81, before William Browne, and Bartho. Gedney,* assistants.

Warrant, dated Apr. 7, 1681, for the appearance of the wife of John Davis of Lynn before the Worshipful William Browne and Bartholmew Gedney, Esqrs., for abusing her husband, also for Hugh Alley and Sarah Linsey as witnesses, signed by Hilliard Veren,* cleric.

Henry Collins' bill of cost against John Davis, 12s.

Bill of cost of Eleazar Linse, for Sarah Linse, Mary Linse, Martha Johnson, Hugh Ally and Samucl Tarbox, 14s. 6d.

Writ: Henry Collens v. John Davis of Linn; for slanderous, reproachful speeches and for audacious and uncivil behavior toward Sarah Linsey at her house, also summons to Hugh Alley, Samucl Tarbox, Sarah Linsey, Martha Johnson and Sarah Linsey as witnesses; signed by Hilliard Veren,* cleric; and served by Richard Hud,* constable of Lin, by attachment of the barn of defendant.

Joseph Collins testified that John Daves told him that deponent's father brought Sarah, wife of Eleazar Linsey from Boston, and offered her abuse. Sworn, 30 : 9 : 1680, in Salem court.

Eleazar Lense, aged about thirty-five years, Sarah Linse, aged about thirty years, and Daniell Johnson, aged about twenty-nine years, deposed that, upon being asked how he came off at court, John Davis said, etc. Sworn, 13 : 2 : 1681, before Wm. Browne and Bar. Gedney.

Robert Rand, jr., aged about twenty-four years, and Hanna Rand, aged about twenty-one years, deposed that Sarah, wife of Eleazar Lyndsey of Lynne, coming occasionally to their father's house, after some difference

* Autograph.

between John Davis and his wife and her, said she invited Davis to come to lodge at her house, telling him her husband was not at home, etc. Sworn, 18 : 2 : 1681, before Wm. Browne and Bartho. Gedney.

Sarah (her mark) Linse certified, 18 : 2 : 1681, that Collins did not speak uncivilly to her on the journey from Boston or at any other time.

Jacob Knight, aged about thirty-six years, and Henry Stacey, aged about twenty-nine years, deposed that at Daniel Johnson's house, the latter said that the wife of Eleazer Lindsey had told him and Samuel Tarbox about Collins, etc.

Martha Johnson, aged about thirty years, testified that she was in bed with two of her children, her husband being away from home, when John Davis came to the window, spoke to her and came in, offering her abuse, etc. Sworn, 10 : 2 : 1681, before Thomas Laughton,* commissioner of Lyn.

Sarah Davis, aged about thirty years, and Mary Kyrkland, aged twenty-seven years, deposed that about three months ago Rachel Whinnick said that the child she had was Hugh Allies. They asked her why she did not charge him with it so that he would maintain it, and not go about begging. She answered that she dared not for the wives of Eleazer Lindsey and John Lindsey threatened to burn her if she laid the child to her brother Hugh Alley. Sworn, 18 : 2 : 1681, before Wm. Browne and Bar. Gedney.

Henry Collins, sr.'s,* complaint: Being desirous to vindicate the suffering name of god and mine own Innocency and honesty, which is highly defamed by obscene and Slanderous Speeches Divulged by John Davis of Linn & his wife to the blurring my reputation among Christians In reporting that Eleazer Linsy shoold tell them . . . now the wholesome Lawes of this Jurisdiction having provided that noe persons good name or reputation shall causelessly be defamed, I doe therefore seriously apply myselfe to your honours to take such a course wherby gods glory and my suffering name may be vindicated."

John Davis, aged thirty-nine years, and Sarah Davis, aged about thirty-three years, testified concerning what Goody Linsy told her, etc. Sworn, Oct. 11, 1680, before Bartho. Gedney,* assistant.

Hugh Ally,* aged about twenty-five years, and Sarah Linsee, testified, 1 : 10 : 1680, that being at John Davis' house, Ally agreed to mow some grass, and Davis said he would give him a pot of cider. Davis brought a pot or two, and the third one his wife took out of deponent's hand, threw it at her husband, breaking his head with the pot. Deponent went to part them, whereupon she threw the pot at his head and struck her husband several blows with a chair. Sworn, 18 : 2 : 1681, before Wm. Browne, and Bartho. Gedney.*

Hugh Ally,* aged about twenty-five years, testified, 1 : 10 : 1680, that coming home with his sister Sarah Linse in the night, her husband being away, he went up to bed. After he was asleep his sister came to him frightened, saying, "brother go down with me for ther is sombody in my beed I answered I bleue my brother is Com hom my sister answred no it is not my hosbands hat I coming down with my sister haueing no light I feling on the beed saing hoo is hear he specken I knowing him by his speech saing hoo is hear geffer Daues what do you heare i thought you had been gon to rood iland the said Daues said why whear am I: I said you are in my sister Saryes beed the said John Davis said I thought I had been in my on hous and in my on beed my sister said war you in drink he said no no more then you bee my sister said the more shame for you to sho me such abus to com in my beed." Sworn, 1 : 2 : 1681, before Wm. Brown and Bar. Gedney.

Elnor Wats, aged about fifty years, deposed, Nov. 26, 1680, that Linzey's wife came to her and cried bitterly, saying she never said the things, etc. Deponent knew that Davis would speak words at his pleasure when he was intoxicated or disguised with drink. Sworn, 30 : 9 : 1680, in Salem court.

* Autograph.

Widow Thomas and Nathaniell Kirtland, jr., testified. Sworn, 18 : 2 : 1681, before Wm. Browne and Bartho. Gedney.

Daniell Johnson, aged about twenty-nine years, testified that about eight or nine years ago he heard Sarah Lense say that old Goodman Collens brought her from Wienesemet behind him, etc.

Sarah (her mark) Lyncey, wife of Eliezer Lynsye of Lynn, deposed, 1 : 10 : 1680, that coming home one evening she put her young child into her bed, and half an hour after she started to go to bed herself without any light. She trod on a heap of clothes and thought her husband had come home from Salem, but finding a hat on the clothes which had ribbons on it, knew it was not her husband's. She called her brother, etc. Davis then put on his clothes and went out, but later came back and Sarah secured the door as well as she could, it having no lock, but she held down the latch. He went away saying, "if you hould it, hould it & be hanged." Sworn, 18 : 2 : 1681, before Willm. Browne and Bartho. Gidney.

Samuel Tarbox, aged about thirty-four years, deposed.

Mary (her mark) Leinse, aged about thirty-five years, testified as to Davis' abusive carriages.

Charity Jones complained of Thomas Russell, June 21, 1681, that he offered her abuse and turned her out of the house and when she went to get her goods he took her by the throat and nearly strangled her, detaining her goods and provisions.

Samuell Dixy testified that on Sabbath day night he heard a great noise at Russell's house where Charity Jones lived, with cries of murder, etc.

Benjamin Parmenter testified that he told Russell that if he kept up such a stir that he would send for the constable. Sworn, June 21, 1681, before Bartho. Gedney,* assistant.

John Williams testified that Thomas Russell came to his door in the middle of the night, after he had turned his daughter Charity Jones out of doors, and knocked him down with a club. Sworn, June 21, 1681, before Bartho. Gedney,* assistant.

Benja. Parmeter, aged seventy years, deposed that Russell frequently threatened that whoever had Thomas Cauley's land should never enjoy it peaceably, for he would cut down the fence. This hindered the sale of the land. Hen. Skerry, marshal, testified to the same.

Deborah Girdler, aged thirty-three years, deposed.

Mary Russel, aged forty-five years, testified that her husband came home late, beat her unmercifully, kicked her about the house and struck her violently upon the head. He had threatened to cut her throat or burn her, adding that if she complained of him, he would kill her, so that she was afraid to go home. He did not maintain her, not allowing her the value of 10s. per year, but spent his time drinking, etc. Sworn, 30 : 9 : 1680, in Salem court. Benjamin Parmeter testified that he had seen her bloody from her husband's abuse.

Mary Russell's petition: that she had complained of her husband through passion, and "sence that tyme he hath carried it like a loueing husband to her: & can find noe fault with him for matter of his care & providing for me according to his best ability: & so I am: in y^e sense of my deare husbands loue to me freely & heartily willing on my part to remitt all former matters between my husband & my self."

Thomas Russell's petition: that he and his wife had become reconciled and he promised hereafter to be more tender of his wife and careful of his family.

Debora Girdler, Mary Holeman, Remember White, Susanna Grant, Elizabeth Dixy and Sara Dixy testified that they were neighbors of Russell and he had frightened them many times at night, threatening them with a gun or pistols like a mad man. He threw Remember White into a ditch, holding a great stake over her, and saying he would knock her down if she meddled

* Autograph.

COURT HELD AT SALEM, JUNE 28, 1681.

Jacob Rowell of Elizabeth Town, New Jersey, on June 6, 1681, acquitted George Norton of Southfield, Hampshire county, in the Massachusetts colony, of all estate of his which he held as guardian, said Norton having been appointed guardian of said Rowell, on 28 : 9 : 1676, by the county court. Wit: Francis Dane and Dudley Bradstreet.

Hugh Woodbery, aged about fifty years, deposed that, being in Virginia at Colonel Bridgham's house sometime in the winter of 1677, discoursing about several men going away and forfeiting their bonds, not clearing their vessel, Bridgham said that he could not blame Benjamin Marston so much, because he came when he was not at home and left some goods for security. Bridgham further said that he would not trouble him. Sworn, 25 : 9 : 1679, before Hilliard Veren,* cleric.

Samuell Dutch, aged about thirty-four years, deposed that he was in Virginia at Colonel Bridgham's house and heard the same discourse, etc. Sworn, 28 : 9 : 1679, in Salem court.

Grand jury: Mr. John Ruck, John Holmes, Samll. Ebborne, sr., Antho. Buxton, Robert Fuller, Joshua Rea, Ensign Fuller, Robert Rand, Allen Breade, jr., James Freind, John Bennett, John Sibley, Will. Greeggs and Henry Russell.

Jury of trials: Mr. Moses Maverick, Mr. Tho. Gardner, jr., Mr. Mannasses Marston, Mr. Will. Bowditch, Mr. Edmond Feaveryear, David Phipen, Ezekiel Cheevers, John Giles, Charles Gott, Tho. Loughton, jr., Eleazer Linsey and Mathew Farrington.

Samll. Gardner, sr., Leift John Putnam and Frances Nursse served in place of Lin men, and Joseph Huchesson and William Raiment and Daniel Andrews, in place of Tho. Gardner. Mr. Bowditch and Manesses Marstone in Mr. Savage's action.

with his dog. She said "thee art a murtherous wretch, thou dost not care if thou killest a man." He answered that he would as soon kill a man as let him alone, and he might kill her sometime. Sworn, June 21, 1681, before Bartho. Gedney,* assistant.

At the Commissioners' court in November last, Thomas Russell was ordered to be severely whipped for abusing his wife, but upon promise of reformation the sentence was respitted upon his good behavior. Copy made by Hilliard Veren,* cleric.

* Autograph.

Leift. John Putnam chosen instead of Mathew Farrington in Gifford and Divorixes action.

Seargt. Kertland, who was fined for not serving on the jury the last session, had his fine remitted on account of weakness and inability.

Samuell Leach and Onesipherus Allen v. Robert Knights, sr. Review. Verdict for plaintiffs. Appealed to the next Court of Assistants. Said Knights was bound with Richard Rowland and Wm. Beale, as sureties.*

*Writ: Samuell Leach and Oneseophorus Allen v. Robert Knights of Marblehead; review of a case that was first tried at Salem court, Nov., 1679, in which said Knight was plaintiff, and having lost the case reviewed the action at Ipswich court, Sept., 1680, and having lost again appealed to the Court of Assistants in Mar., 1680-81, where the jury first brought in against him, but being sent out again the jury brought in for him; dated Salem, June 23, 1681; signed by Hilliard Veren,† for the court and town of Salem; and served by Henry Skerry,† marshal of Salem, by attachment of all the houses, land and mill, leaving the summons at his house with his wife.

Robert Knights' bill of cost, 3li. 6s.

Copy of papers in similar actions brought in Salem and Ipswich courts, and the Court of Assistants, made by Hilliard Veren,† cleric, and Edward Rawson,† secretary.

Bill of cost of Samuell Leach and Onisephrus Allen, 3li. 15s. 9d.

Copy of record of the Court of Assistants, Mar. 1, 1680-1, in an action of appeal, in which Robert Knight was plaintiff, signed by Edward Rawson,† secretary.

Mr. Richard Blinman, Cr., p his house & ground, 80li.; pd. in part, 69li. 5s. 9d.; due £10.14s. 3d., which was pd as per fo. G, No. 38. Rec'd in full of the houses and lands that I sould to Mr. Russell at Glocester, 30 : 8 : 1651, Richard Blinman. Excepting ye 40s. which I am to have of Mr. Russell in case Edward Messinger will not pay mee. This is an Exact Copy of this Concerne as it standes in Mr. Richard Russell's Ledger No. B, fol. 154, ye Acct. being writen all on ye Creditor side of the said folio with said Russell's own hand and ye discharge written close under it with Mr. Richard Blinman's own hand, p James Russell and Josi. Wolcott. Copy compared with the books and sworn to, June 25, 1681, before John Phillips,† commissioner.

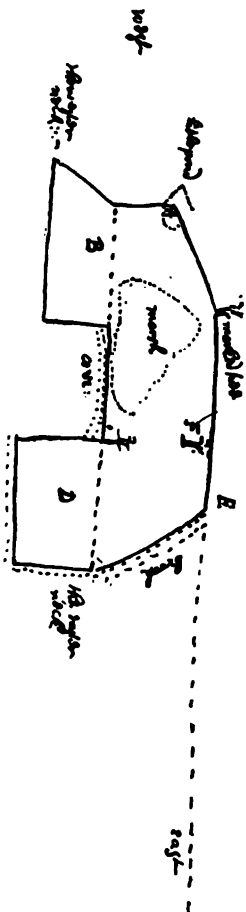
† Autograph.

A plot of land was bought by the Government in 1900 for the purpose of building a school house on the site.

The plot of land was bought by the Government in 1900 for the purpose of building a school house on the site.

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of the plot of land was bought by the Government in 1900 for the purpose of building a school house on the site.



A plot of land was bought by the Government in 1900 for the purpose of building a school house on the site.

Thomas Rumerye v. John Norman. Debt. Verdict for defendant.*

Copy of Robert Knight's reasons of appeal, brought in Feb. 23, 1680, to Robert Lord,† cleric.

William Bennet, aged about seventy years, and Samuell Allen, aged about fifty years, testified. Sworn, May 16, 1681, before Bartho. Gedney,† assistant.

Samuel Gardner, aged about fifty-three years, deposed that he heard the jury's verdict at the Court of Assistants in Boston. Owned in court.

William Bennet, aged seventy years, and Samuell Alen, aged about fifty years, testified. Sworn, May 16, 1681, before Bartho. Gedney,† assistant.

*Writ: Thomas Rummerye v. John Norman; debt; in wages, for sawing the timber for the building of a ketch and shallop; dated June 23, 1681; signed by Hilliard Veren,† for the court and town of Salem; and served by Richard Prytherch,† constable, by attachment of the house of defendant, leaving the summons with Jno. Norman's maid.

Jno. Norman's bill of cost, 13s. 4d.

William Smith, aged about sixty-two years, testified that he and Thomas Rumery carried in their account of sawing to John Norman, who set it down in his book. It amounted to 22li. Sworn, June 27, 1681, before Bartho. Gedney,† assistant.

Edward Bishop, aged about thirty-five years, deposed that he heard Mr. John Norman say that he had paid Thomas Rumery 3li. 15s. toward the work, etc. Sworn, June 27, 1681, before Bartho. Gedney,† assistant.

Joseph Gatchel, aged about thirty years, deposed that Rumery asked him to go to Norman to inquire about the account. The latter said that he had paid Rumery partly as appeared on his book, but when deponent asked to see the book he said he was in haste, going to Newbery. Norman further said that he had offered Rumery 30s. to balance the account. Later Norman told deponent that the reason he had not paid him was because Rumery carried away the saw to saw a log for Jeremiah Neal and left his work. Sworn, June 27, 1681, before Bartho. Gedney,† assistant.

Mary Ropes, aged about sixty years, deposed that being in Jno. Norman's house she heard Wm. Smith ask him for some corn for his mate Rummery, and he said he should have it. Mathew Tarbell testified to the same. Sworn, June 28, 1681, before Bartho. Gedney,† assistant.

Charity Olford, aged about fifty years, and Mathew Tar-

† Autograph.

John Dotrige v. Isaack Woodbery, executor of the will of Robert Wilkes. Verdict for defendant.*

bell, aged about eighteen years, testified that they heard Smith ask for penistone for Rummery, and saw Norman deliver it. Sworn, June 28, 1681, before Bartho. Gedney,† assistant.

Daniel Bacon and Thomas Coates deposed that some time last winter they were working in the yard with Jno. Norman and heard him blame Wm. Smith for bringing Rumry there to saw because he was the cause of the sawing work being spoiled. Norman would have had Smith turn Rumry out of the yard. Sworn in court.

*Writ: John Dotrige v. Isaac Woodbery of Beverly, executor of the will of Robert Wilkes, deceased; for not performing their indenture in teaching plaintiff his trade of a shipwright, although he had served his time; dated June 11, 1681; signed by Hilliard Veren,† for the court and town of Salem; and served by Henery Skerry,† marshal of Salem.

Isacke Woodbery's bill of cost, 17s. 10d.

Daniell Baken, aged about forty years, and his wife, aged about thirty-six years, testified that Jno. Dotterage, after his master Wilkes died, desired that he might serve the rest of his time with deponent, and Woodbery, the executor, assigned him accordingly. Deponent had taken much pains in instructing him in the trade of a shipwright or ship carpenter and during the three years he had been with him he had taught him to build ships and ketches. Sworn, June 27, 1681, before Bartho. Gedney,† assistant. Owned by both parties.

Thomas Coats, aged about twenty years, testified that he was a servant to Daniell Baken during two years of Dotterage's term of service and his master had taken great pains with Dotterage. Sworn, June 27, 1681, before Bartho. Gedney,† assistant. Owned in court.

Indenture, dated Mar. 15, 1675-6, signed by Robert Wilkes,† by which John Dotherig, now resident in Salem, of his own free will put himself apprentice to Robert Wilkes of Beverly, shipwright, or his heirs, for four years, to be taught the science or art of a shipwright, and at the end of the term of service to be dismissed with a good new broadax, adze and double apparel. Wit: Hilliard Veren, sr.,† and Benjamin Marston.† Sworn, June 8, 1681, before Bartho. Gedney,† assistant.

Joseph Gatchell, aged about thirty years, testified that he was at the house of his brother Jeremiah Gatchell when

† Autograph.

‡ Autograph and seal.

Edward Lumax v. Michael Farley. Trespass. Verdict for plaintiff, the mill according to covenant. Appealed to the next Court of Assistants. Said Farley bound, with John Spark and John Low, as sureties.*

Daniel Bakon, who was there, said that he had paid Isaac Woodbery of Beverly 14li. for John Doddridge's time, which Bakon declared to be too much to pay for a servant and teach him a trade. Bakon said that he was not bound to teach him the trade of a shipwright, nor should he. Sworn, June 27, 1681, before Bartho. Gedney,† assistant.

Wm. Godsoe, aged about twenty-nine years, testified that Baken told him that he had taught Doddridge all he could and had nothing against him, but wished him well. Sworn in court.

Joseph Lord, aged about nineteen years, testified that Dotterage told him eight months ago that he could do any work about a ship as well as need be. Sworn, June 27, 1681, before Bartho. Gedney,† assistant.

Edward Bishop, aged about thirty-five years, testified that he heard Backon say that Doddridge was a good seaman. Thomas Rumery testified to the same. Sworn, June 27, 1681, before Bartho. Gedney,† assistant.

*Writ: Edward Lomas v. Mighill Farley, sr.; trespass; for keeping him out of possession of a fulling mill ordered to be built by Richard Saltonstall, Esq., which plaintiff was to enjoy during his life; dated June 18, 1681; signed by Robert Lord,† for the court and town of Ipswich; and served by Robert Lord,† marshal. Bond of Mighell Farley† and Richd. Saltonstall.

Micall Farlye's bill of cost, 1li. 5s. 4d.

Robert Lord, sr., and Robert Lord, the marshal, testified that being desired by Edward Lomas to go with him to Mr. Farley to bear witness that he demanded the old fulling mill and being at the mill heard Farley say that he would have nothing to do with him. This was about May 11, last. Sworn, June 28, 1681, before Daniel Denison.†

Robert Day, aged about seventy-seven years, deposed that about the time Mr. Saltonstall was about to go back to England, the last time he was here, he was at deponant's house. Brother Denison and brother Lomas were there at the same time and speaking about a fulling mill told Mr. Saltonstall it would be useful for the good of the town. He replied there should be one if Brother Lomas would keep it, and the latter said that he had no skill, but some one else might be gotten who had skill in it. Then Mr. Saltonstall

† Autograph.

said if he would not keep it he would have none built. Sworn, June 23, 1681, before Daniel Denison.*

Edward Lomas' bill of cost, 2li. 2d.

John Pearl, aged about twenty-nine years, and Michael Farley, jr., aged about twenty-one years, testified that they were with Michael Farley, sr., and Edward Lumas when the latter refused to have anything to do with the fulling mill which by covenant Richard Saltonstall was to build and of which Edward Lumas was to be miller and have half the profits during his natural life, etc. Sworn, June 25, 1681, before Samuel Appleton,* assistant.

Agreement, dated Mar. 16, 1671-2, between Richard Saltonstall† and Edward (his mark) Lumax, both of Ipswich, that said Richard should build a fulling mill and said Edward attend it as miller, having half the profits; that every quarter he should render an account under oath the same as Freegrace Norton, miller of the corn mill in Ipswich, was bound to do, and in consideration of his half part, with the allowance of 4li. in wheat and malt, he was to take charge of the corn chamber as well for the said Richard as for himself, preserving from damage all the corn; every week he was to receive into the corn chamber all the toll corn by measure which was produced by the mill and measure out the same as occasion required; that said Edward should seasonably attend to all gravel requisite for the mill or mill dams, for which upon account he should be satisfied by the appointment of George Gittings, Deacon Goodhue, Robert Day, John Denison and Freegrace Norton, or any three or more of them; in like manner said Norton should be satisfied by the appointment of Edward Lumax, together with George and the rest, or any three or more of them; said Edward was to make his accounts upon the same quarter days as Norton, and should enter them in the same book as Norton, the accounts of the corn mills being at one end and the accounts of the fulling mill at the other. Wit: James Everell* and John Sewall.* Edward Lumax was absent when this counterpart was signed, and the witnesses, James Everell* and John Sewall,* made oath to Saltonstall's signature only, June 2, 1681, before Daniel Denison.*

Michael Farley, jr., aged about twenty years, deposed that Edward Lumas of Ipswich, hearing an order read to him by Michael Farley, sr., deponent's father, complied with it and gave up his trust to said Farley, expressing himself as glad to be relieved of the management given him by his master, Richard Saltonstall. He delivered the keys and was paid his whole salary by said Farley. Sworn, June 16, 1681, before Saml. Appleton,* assistant.

* Autograph.

† Autograph and seal.

Mr. John Gifford v. Thomas Walter and Richard Middlecott, the pretended attorneys or agents of John Wright, John Williams, Katheren Eaton and John Dodsworth. Review. Verdict for defendants, confirmation of the former judgment, forfeiture of a bond of 2,000li.*

John Pearl, aged about twenty-nine years, testified to the same. Sworn before Samll. Appleton,† assistant.

Elihu Wardal deposed that sometime in 1674 Edward Loumaks bargained with him to build a fulling mill, which he did to the best of his skill until it was fit to full cloth, for which he received 6li. in corn at the corn mill, as was agreed. Sworn, June 23, 1681, before Daniel Denison.†

Mary Wayte, aged forty years, deposed that some time after Mr. Farly came over from England and entered upon the mills of Richard Saltonstall she heard Goodman Lumas say that he and Mr. Farly had been with Mr. Stoughton and he had delivered up his trust. Stoughton said Lumas might keep the fulling mill, but the latter said he did not care whether he did or not. Sworn, June 25, 1681, before Daniel Denison.†

Elihu Wardall, aged about thirty-eight years, deposed that he had the contract to build a fulling mill upon the mill dam of Richard Saltonstall of Ipswich next adjoining to his wheat mill, etc. Sworn, June 23, 1681, before Samuell Appleton,† assistant.

Rrd. Saltonstall† certified, June 27, 1681, that, in 1674, Edward Lumas wrote to him in Lankeshire, England, to release him, the letter being written with very much earnestness and importunity, and he then appointed Michael Farley, whom Saltonstall sent over to New England. Farley arrived in 1675 with an order from said Richard, etc.

William Stoughton† certified on Mar. 25, 1676, that Lummus had neglected to give him, as attorney to Richard Saltonstall, Esq., an account of the corn mills in Ipswich. Also since Michael Farley came to take charge of the corn and fulling mills, etc. Sworn, June 23, 1681, before S. Bradstreet, Govr.,† and J. Dudley,† assistant.

Sargeant Jeremiah Bellcher and Richard Shatswell, sr., deposed. Sworn, June 24, 1681, before Daniel Denison.†

* Writ, dated Boston, June 11, 1681, signed by Nat. Barnes,† for the court and town of Boston, and served by Richard Hood,† constable of Lin, by attachment of the house and land in possession of Thomas Walter, called the new Iron works at Lin.

Defendant's bill of cost, 2li. 3s.

† Autograph.

Copy of return of the execution, dated Apr. 13, 1680, by Robert Lord,* marshal, who attached a house and land of Mr. John Gifford's and other things appraised by Ciporus Steevens for Gifford and John Lee for Walter, at 247li. 7s. 4d. There remained fees of 5li. 17s., and due on the execution 241li. 10s. 4d. By order of Walter he committed Gifford to prison at Salem, for which he charged 6s.

Copy of writ: Thomas Walter of Yonghall, Ireland, merchant, now resident in Boston, and Richard Middlecott of Boston, merchant, attorneys to John Wright of Writsbridge, County Essex, John Williams of Bristoll, merchant, Katharin Eaton of London, widow, executrix of the estate of her son John Eaton, late of London, merchant, and John Dodsworth of London, haberdasher, assignee of John Wright of Writsbridge, County Essex, administrator of the estate of Francis Allen, late of London, gentleman v. John Giffard; debt due by bond; dated Boston, Feb. 6, 1679-80; signed by Nath. Barnes,* for the court and town of Boston. Copy made by Isa. Addington,* cleric.

Copy of bond for appearance of John Gifford, dated June 11, 1681, and witnessed by Joseph Weden and John Earle. Copy made by Nat. Barnes,* for the court and town of Boston.

Robert Lord, marshal, aged about forty-nine years, testified that he asked Giffard at court if it was his signature on the bond and he said it was. John Floyd testified to the same. Sworn in court.

"To the Honored Court: of Salem:

"In all humbleness I desire to returne many thanks for your great favo^r in the hopes of my admittance to haue liberty to speake for myselfe. your hono^r's lines I sent to y^e Govo^r but Comeing soe late to my hands find it hard pcure y^e meeteing of Assistance w^{ch} yo^r lines are referd unto. I should humbly Craue y^e favor of y^e hono^r'd Court to deter my Action y^e I may see if possible I may pcure an apperance if not I hope yo^r hono^r's will Consider the iustness of my Cause and therein giue reliefe as God shall direct

"Yo^r hono^r's humble Sarvant

"June 28 : 81

John Giffard."

Letter of attorney, dated June 24, 1681, given by John Giffard† of Lyn to his loving wife Margret Giffard. Wit: Hudson Leverett* and John Earle.* Sworn, June 27, 1681, before John Joyliffe,* commiss.

Award, dated Feb. 24, 1680, of Humphry Davye, Anthony Stoddard and John Holbrooke, a committee appointed by the General Court, Jan. 4, 1680, to inquire into the claims of John Giffard. Court approved of the return and granted a hearing. Copy made by Edward Rawson,* secretary.

* Autograph.

† Autograph and seal.

John Giffard's* answer, dated Nov. 29, 1680. If he were not of the Company, he asked why did John Flood sue him, imprison him and take from him 20li. for the Dispaws.

John Giffard's* plea, in review, dated June 28, 1681, before the Salem court.

John Giffard's* second plea, dated Feb. 21, 1680, before the committee of the General Court.

Instructions for conducting the Iron works, dated Sept. 15, 1673, given to Mr. John Gifford and Mr. Ezekiel Fogg, by John Wright,† John Bulteele,† Fran. Allen,† John Giffard,† Ezekeill Fogg† and John Godfry.† Presented, Apr. 30, 1674, to John Leverett,* Govr., and recorded in book 4, page 268 of the records of the Notary Public of the Massachusetts colony, Aug. 11, 1674, by Robert Howard,* Notary Public.‡

Summons, dated Boston, June 23, 1681, to Thomas Walter and Richard Midlecot for appearance at Salem court, signed by Natha. Barnes, for the court and town of Boston. Copy of the summons to which Tho. Matson made oath in Boston, June 25, 1681, before Hum. Davie,* assistant.

Wm. Morgan, aged about twenty-one years, deposed that it was reported that Mr. John Williams was dead and died in London. Furthermore, he saw the widow after that in mourning. Sworn, June 3, 1679, before Thomas Brattle, commissioner. Copy made by Edwd. Rawson, secretary. Copy of that copy made by Isa. Addington,* cleric.

Copy of agreements and instructions made by Isa. Addington,* cleric, Edw. Rawson,* secretary, and Robert Howard,* Notary Public.

Letter of attorney, dated June 28, 1681, given by Thomas Walter† of Youghall, Ireland, merchant, now resident in Boston, to Capt. John Floid. Wit: Thomas Marshall* and John Severne.* Capt. Thomas Marshall and John Severne made oath before Bartho. Gedney,* assistant.

Copy of letter, dated London, Nov., 1676, from Jo. Williams, Katharen Eaton and John Dodsworth to Mr. John Gifford: "M^r John Williams comeing to London we doe now Authorise M^r Rich. Middlecott of Boston, and M^r Thomas Walter to treat with you, and to have a blast at the Iron workes, if it appeares for a generall good, to this end they have a credit for a supply of what may bee wanting, so you will do well to comply with them there, and our desire and order for you to come over hither, which we need not to press, your owne intrest being soe much concerned therin, we have done thus upon our owne credits heere, M^r Godferys nor s^r Rich. Combes executors, have we beene able to pswad to deposit anything M^rs Eaton is executor to m^r John Eaton, m^r Dodsworth

* Autograph. † Autograph and seal. ‡ For abstract of these instructions, see *ante*, vol. 7, pp. 171-177.

hath purchased the share, was m^r Allins, and m^r Williams m^r Wrights part, we hope you will consider this is the reviving or utter ruin of the concern, therefore consider you destroy it not utterly, pray remove all obstructions, and carry things above board, for clandestine actings will not bee interest at you^rall: asure yourselfe, for our parts if you act as you ought, you will find us ready to do the thing that may be rather in favour of you then our selves, for we desire to doe as we would be done by, as you will finde when you see us, want of time, and in expectation of your presence we doe not, nor indeed cannot inlarge, but must refer you to our agents, or agent, whose carriage if you deme — it not will doutless be in all tenderness towards you as farr as they may fairly discharge ther trust for the gen^{rl}l good pray sett out our agents in a way to find out how to secure our right from M^r Fogg & shew them wherin he hath acted to the hirt of the Company we must subscribe willing to continue Your loveing frends."

"Superscribed To M^r John Gifford, merchant in Boston. Received of m^r Middlecott 9 of May 77." Copy made by Isa. Addington, cler. Copy of that copy made by Robert Lord,* cler.

Copy of bond of John Giffard, dated June 1, 1673. Wit: Richard Stonehill and Wm. Renold.* Copy made, in 1676, by Richard Stonehill, notary public. Copy made, May 9 1679, by Robert Lord,* cleric.

Thomas Matson, aged about forty-seven years, testified that he took the summons to the house of abode of Mr. Walter and he not being at home, deponent gave it to the maid to deliver, but she read it and threw it away, giving him very uncivil language. Then deponent went to Mr. Midlecot, delivering it to Mrs. Midlecot. She read it and said she would not take it, as it would be troublesome to her husband. After that, deponent went back to Mr. Huchison's where Mr. Walter "keeps" and the maid coming to the door again began in her high terms as before, but deponent, seeing Mr. Huchison looking out of the window, gave the summons to him for Mr. Walter. Sworn in Boston, June 25, 1681, before Humphry Davie,* assistant.

John Joyliffe, aged about sixty-four years, deposed that Mr. Richard Midlecot told him on June 1, 1680, when he asked him what he meant by keeping Mr. John Giffard in prison, that he had no hand in the business, nor did he meddle with it; that when Mr. Walter first came to New England he had an estate of Mr. John Williams of Bristoll in his hand, from whom he received order to supply Walter with money, which he did to the amount of 120li., but after Williams'

* Autograph.

Mr. James Allen v. Nathaniell Putnam. Verdict for defendant. Capt. John Floyd, attorney to Mr. James Allen, appealed to the next Court of Assistants, and was bound, with Frances Nursse and John Tarball, as sureties.*

death, the widow, and Williams' brother ordered him not to remit any more to Walter but to send what remained to Barbadoes, which he did. Deponent had had only his commission from the sale of the goods and all the power Mr. Walter had to sue Mr. Giffard was by letter of attorney of Squire Wright's. Deponent said he had sold himself out of the company and he replied that he had, etc. Sworn, June 3, 1680, before J. Dudley.†

John Browne testified that he was a collier at the Iron works and that Giffard had pushed the work by making up the dam, repairing the works, pulling down the defective walls and that Capt. Poole had "new braste" the furnace so that it might speedily have blown had he not been disappointed by Mr. Fogg, etc. Sworn before William Browne, commissioner. Copy made by Isa. Addington,† cler.

Thomas Brattle and John Joyliffe, aged about sixty-five years, deposed that they went to the Iron works with Mr. Walter and Mr. Midlecot to advise about running the works. They found a great heap of charcoal, pot molds, etc., to carry on the works and Giffard said that about 200li. would get it ready to make a blast. Brattle said he already had a part in an Iron works and did not desire any of that. Sworn, Feb. 21, 1680, before Humphry Davie,† assistant.

Henery Dispaw, aged about thirty-five years, deposed that, being a potter at the Lynn Iron works, he made several pot molds and waited for the furnace to blow, but it seemed to him that Mr. Giffard never intended to repair it, as it could have been done in less than a year. Sworn, Mar. 13, 1678, before Tho. Savage, commissioner. John Floyd testified to the same, 1 : 2 : 1679, in Ipswich court. Copy made by Hilliard Veren,† cleric.

Peter Chock, aged about thirty years, deposed, May 22, 1679, that walking upon the Exchange in Boston with Thomas Walter about Apr. 16, 1679, the latter told him that Mr. John Williams of Bristoll had been dead about a year, etc. Sworn, June 3, 1679, before Tho. Brattle, commissioner. Copy made by Edwd. Rawson, secretary. Copy of that copy made by Isa. Addington,† cleric.

* Writ: Rev. Mr. James Allen v. Nathaniel Puttnam; for claiming nineteen acres of land, which had been settled on plaintiff by a committee of the General Court, Oct. 2, 1678,

† Autograph.

as part of the farm called formerly Bishop's farm; dated 10 : 3 : 1681; signed by John Wayte,* for the court and town of Maldon; and served by Henry Skerry,* marshal.

Nathanill Putnam's bill of cost, 1li. 16s.

Letter of attorney, dated Apr. 12, 1681, given by James Allen† of Boston to Capt. John Floyd of Rumney marsh, to prosecute this action against Mr. Nathaniel Putnam or Joseph Holton. Wit: Hum. Davie,* assistant.

Copy of a record of the General Court held at Boston, May 28, 1679: "The Comittee appointed by the Honored Generall Court october 2^d: 1678: to setle y^e bounds of a farme lying in Salem conteyning three hundred acres apperteyning to y^e Revnd. M^r James Allen of Boston (Commonly called Bishops farme) meeting together at Salem the second time hauing first receiued the land heard all controuersies concerning the same and tried the bounds (that were shewed by both parties) by a su^rveyo^r for a fynal Conclusion in reference to the Setlement of the said bounds they did agree as followeth: viz

"That begining at a Maple old marked in myery swamp (upon the southwest of this land) from thence running to the black oake old markt) upon the Goune's playne and Continuing the same line untill you Come (in a square) as farr eastward as the Hemlock by the old Saw mil. then from this Corner made as aforesaid to the aforesaid hemlock then from the said hemlock: the brooke in that place (according to the runn of the water mil) shall be the bounds untill you Come as farr westward as the cratch in the brooke nr where two brookes Issue into one then to runn sixe poles due north from thence westward in a direct line to take Bishops old orchard & house place from thence still westward to a great popular, and what shallbe now a wanting to three hundred acres shall be made up at the west end of this land continuing each side line so as to leaue the west end nere a square, Also they order that the surveyor Jonathan Danforth to perfect the said bounds according to this order & returne a true plott and record of the same to the said Comittee of Salem. Given under our hands 7 10^{mo} 1678. Edmond Batter, Oliuer Purchase, William Johnson, John Whiple, Jonathan Poole.

"This Court Approves of the returne of the Comittee as to the Setlement aboue written Edw Rawson Secretary. A platt of this farme under Jonathan Danforths hand the surveyor is Given in and left on file as Attest Edwd. Rawson,* Secret." Copy made by Edw. Rawson,* secretary.

Memorandum, dated Billerica, 12 : 10 : 1678, of Jonathan Danforth,* surveyor: "from the hemlock by y^e old sawmill

* Autograph.

† Autograph and seal.

at Crane brook, runing north 59 degr. west, 167 pole which comes to y^e wooden bridge at hadlocks to a rock in y^e middle of y^e brook, all that part of m^r Allins farme that lyeth northward of this line, containes nineteene acres, it is bounded northward by Nath. Putnam, and y^e porters the farme has taken from Hadlock, one acre & sixty pole that part of y^e farme at y^e west end, that lyeth west of y^e popler and y^e maple containes about twenty acres. 16 pole wide at north end and 39 pole wide at south end y^e west line is 115 pole long There is left out of this farme on the south side, seuenty two acres which is contained with y^e bounds mentioned in y^e deed of sale & two acres left out on y^e north side of y^e line next Goodman Holtons."

Jon. Floyd, aged about forty-five years, testified that he went to Nathaniell Putnam's house and asked him if he had that nineteen acres of land in his possession that was ordered by the General Court to Mr. Allen and he said he had and would keep it until they took it away for it had been his for forty years. Deponent then demanded it, as attorney for said Allen, showing his power, but Putnam refused to make any agreement with him or Allen. "I for warned him for cootting the wood doowne any mor: boott he sayd he had coott & carried of that land wood & woold still: coott & carry away as he see caes . . . I told him I wold pool doone that bridg wich he had made upone the fore sayd land boot dezired me to leet it alone because he sayd it will be a menes to destroye my Corne." Fransis Nors testified to the same, excepting the forty years' possession. Sworn in court.

Agreement of James Allen,† dated Apr. 15, 1677, to contend no more with Nathaniel Putnam about the bounds and that he is willing that a straight line be drawn from the hemlock tree, his easterly bounds, to the stony bridge over the brook, etc. Wit: Job Swinerton* and Joseph Huchinson.* Sworn in court.

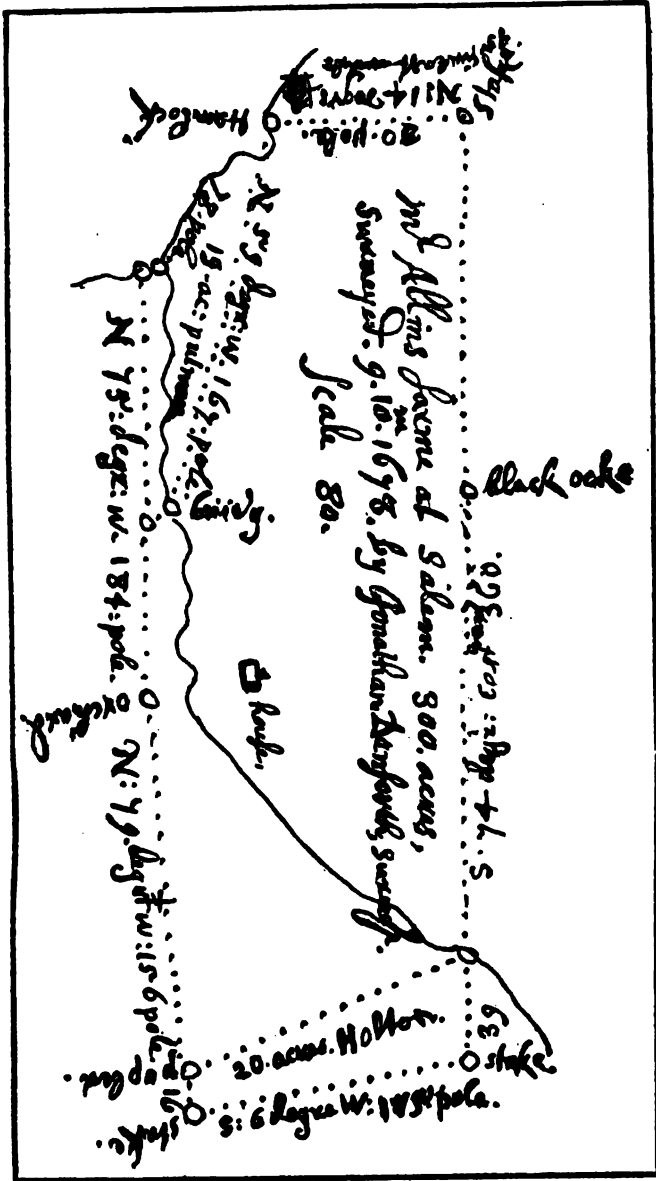
John Weston, aged sixty years, deposed that he worked with Nathanell Putnam before 1652, when they fenced a parcel of land on the south side of the brook coming out of Mr. Bishop's meadow, which land lay on both sides of the brook, etc. Sworn in court.

"The bounds of a farme appertaing to the revrd M^r James Allin of Boston, lying in Salem, on both sides y^e Country road through Salem to ipswich, near Crane brook

"Beginning at a hemlock, standing by y^e old saw mill, on y^e west side Crane brooke: from y^e said hemlock runing up y^e said brook seventy and eight pole to y^e cratch in y^e brooke, that is, where two brookes issue into one, || the brook being

* Autograph.

† Autograph and seal.



y^e bounds so far:|| from thence six pole due north || to a maple on y^e west side y^e brooke marked with A:|| from thence North 75 degr: west 184 pole, which tooke in bishops old orchard and house place, from thence north 79 degrees & 30 min: west 156 pole, to a popler, then 16 pole in y^e line beyond y^e popler, to a stake from thence south 6 degr: west 115 pole, to a stake, standing upon a plaine, from thence south, 74 degrees eastward 39 pole to a maple, & 360 pole beyound it in y^e same line to a stake (taking a black oake old markit about y^e middle of y^e line) from this last stake y^e line runes North, 14 degrees & 45 min: east eighty pole to the first Hemlock the wholl contains three hundred acres

"The which farme was laid exactly in all respects according to an order given in writing under y^e hands of m^r Edmond Batter, leift: Oliver purchas, leift. willm Johnson, Capt. John Whipple & Capt. Jonathan Pole, who were a committee impowered by y^e Honrd Gen^{ll}: Court, octob^r 2^d 1678, to settle y^e bounds of y^e s^d farme an exact platforme of y^e said farm is affixed hereunto, laid out by Jonathan Danforth,* surveyor. 12 : 10^m 1678."

Isaac Lewis* and Henry Skerry, sr.,* appraised, 13 : 3 : 1681, the land for Capt. John Floyd, attorney, at 3li. per acre, and the four score and three trees felled at 1s. per tree, making a total damage of 61li. 8s. Henry Skerry, sr.,* and Isaac Lewis* appraised the time since the committee settled this land on Mr. Allen to the present to be worth 3li. Sworn by Lewis, at Charlestown, 21 : 4 : 1681, before Jonathan Remington,* cleric.

Joseph Hutchinson, aged forty-six years, and Job Swinerton testified. Sworn in court.

James Allen,* aged about forty-eight years, deposed that he heard Nathaniel Putnam say in the Court of Assistants at Boston in Sept., 1678, that he had made several agreements with Governor Endicott, another with his son and another with Mr. Allen, all of which he was willing to give up for a settlement by a committee of the General Court. Also at deponent's house, Putnam said, etc. Sworn at Boston, June 14, 1681, before John Saffin,* commissioner. Sworn in court in Salem by Frances Nurse.

Job Swinerton and Joshua Rea, aged about fifty years, deposed that they had known the land to be fenced for the past thirty years by Putnam. Sworn in court.

Edmund Batter, aged about seventy-two years, testified that he was at the measuring and laying out of Mr. Townsend Bishop's farm, now in the hands of Mr. James Allen, and deponent often spoke of the bed of wild cherry trees at the

* Autograph.

Thomas Browne, sr. v. Mr. Tho. Laighton, sr., Andrew Mansfeild and Tho. Newhall, sr. Verdict for plaintiff. Defendants appealed to the next Court of Assistants, with Capt. Richard Walker, as surety. Capt. John Floyd was confirmed as attorney to the plaintiff.*

west end of the farm which he saw about forty years ago. He was not in the place again until called by the committee of the General Court and he then found the wild cherry trees and an old marked tree at the edge of the swamp. They saw no such trees anywhere else in all their walk, and they laid out twenty acres beyond these trees to make up the farm. Sworn in court.

Joseph Houghton, sr., deposed the same and that he had not been where the cherry trees were for forty years. Sworn in court.

Samuell Nurs, aged about twenty-nine years, deposed that the committee in running the line between Mr. Allin's and Mr. Indicott's land, which land is now Frances Nurs', left without the line sixty acres on the south side and east end and two acres on the north side. Sworn in court.

*Writ: Thomas Brown, sr. v. Mr. Thomas Laughton, sr., Andrew Mansfeald and Thomas Marshall, sr.; for coming upon his land, pulling down his fence and laying claim to it, saying it was the town's common; dated June 23, 1681; signed by John Fuller,† for the court and town of Lyn; and served by Richard Hudd,† constable of Lyn.

Thomas Browne's† bill of cost, 3li. 5s.

Defendants' bill of cost, 2li. 11s.

William Bassett, aged about sixty-two years, deposed that being with Samuell Bennett, sr., and the selectmen of Lyn in 1667 running the line between Boston and Lyn, he being one of the selectmen, the land in controversy was in the Lyn bounds. Bennett agreed to all the bound stones and trees, and they judged it to be the town common. Thomas Newhall testified to the same. Sworn in court.

Thomas Bancraft, sr., aged about fifty-eight years, deposed that about 1655 he hired the farm, where now Daniell Hichens dwells, of Samuell Bennett, sr., and the land in controversy lay common for the free feed of cattle. Lately he heard that Thomas Browne had fenced in some of that land. Sworn in court.

Thomas Marshall, aged sixty-six years, deposed that being desired by Mr. William Bartelmew to go up with him to Samuell Bennett, sr., to see the bounds of a farm that Bennett had sold to Bartlemew, below a little hill in a plain, he

† Autograph.

told him it was surely beyond the bounds of Capt. Walker's farm. Bennett answered "though it bee soe I haue enough of boston Land to make it up." Deponent told the town what he said and they were much displeased. Then they made an agreement, which is extant. William Bassett, sr., testified to the same. Sworn in court.

Ralph Kinge, aged about forty-two years, testified concerning establishing the line. Thomas Newell testified to the same. Sworn in court.

Thomas Laughton, sr., testified that he and Thomas Wheeler were appointed by the town of Lyn to discharge Samuel Bennett's men for cutting off wood where he had set men to cut it, near the place called Plough plain, and they came to an agreement.

Copy of the country rate: Mr. King, 2li.; Mr. Burrell, 15s. 2d.; Thomas Chadwell, 10s. 6d.; Robert Driver, 3s. 11d.; Nathaniell Hanford, 4s. 11d.; Will. Bartrome, 6s. 8d.; Gerard Spencer, 4s. 1d.; Richard Johnson, 7s. 5d.; Will. Crofts, 6s. 5d.; John Kertland, 4s. 6d.; Thomas Farrar, 10s. 5d.; Jinkin Davis, 4s. 3d.; Robert Parsons, 3s. 11d.; Henry Collins, 14s. 10d.; Roberts Coates, 2s. 8d.; Edward Richards, 4s. 10d.; Richard Whitney, 4s. 2d.; Christopher Linsey, 3s. 4d.; Hugh Alley, 2s. 11d.; Michael Spenser, 3s.; Marke Graves, 3s.; John Hood, 4s. 6d.; Robert Ran, 1s. 3d.; Will. Tilton, 6s. 11d.; Edward Ireson, 4s. 2d.; Richard Rooten, 11s. 11d.; Will. Harker, 4s. 4d.; Phillip Kirtland, 6s. 3d.; Joseph Redknap, 7s. 9d.; Robert Engolls, 6s. 6d.; Henry Engolls, 3s. 10d.; Will. Basset, 4s.; Will. Winter, 4s. 5d.; Henry Silsby, 4s. 9d.; Francis Burrell, 4s. 7d.; Will. Edmands, 4s. 1d.; Nathaniell Kirtland, 6s. 11d.; Nathaniell Tyler, 2s. 5d.; Joseph Jinks, 5s. 6d.; Edward Hall, 4s.; Mr. Halliock, 8s. 8d.; John Hawthorne, 8s.

Copy of deed, dated Oct. 12, 1680, from Daniell (his mark) Hutchins, sr., of Lin, and wife Eliner (her mark) Hutchins, for 90li., to Thomas Browne, sr., of Lin, dishturner, 100 acres, which was part of the farm that Hutchins now dwells upon and lately purchased of Mr. Jacob Greene of Charlstowne, it being the westerly and northerly part of said farm, bounded "westwardly by the Land of Capt. Thomas Brattle on the north with the hills Bounding that part called the plow plaine Running up to a marked tree Att that corner on the north & north easterly Corner from which said marked tree that Line being Bounded with the Comons and by a high Ledg of Rockes whereon severall pitch pine trees now stand And Runneth six score & ten poles easterly upon that Line unto the Land of daniell hutchins being the Southerne Bounds & from that northeasterly Corner six score & ten poles southward to the Land of the said Daniell hutchins being the

Maj. Tho. Savage, Esq. v. Samuel Apleton. Review. Defendant pleaded for a nonsuit, but the court did not grant it. Withdrawn.

John Davis v. John Tawley. Debt. Verdict for plaintiff.*

southerly Bounds And from that south easterly Corner six score & ten poles southward to the Land of the said Daniell hutchins being the southerly Bounds And from that south easterly Corner six score & ten poles westward that Line as nere as Can be upon a square untill it Come to south with the bounds that Run Between Capt. Thomas Brattle & from thence the bounds to be by the said Capt. Brattles Land as it now Lieth unto the westerly & southerly Corner," excepting a cartway from the now dwelling place of said Hutchens to the cedar swamp, so called, beyond the bargained land northerly, which Hutchens reserved; also half of Squire's meadow in Malden. Wit: Oliver Purchase, Daniell (his mark) Hutchins, jr., and Joseph Browne. Acknowledged, June 15, 1681, Elinor Hutchins releasing her thirds, before Bartho. Gedney,† assistant. Copy made by Bartho. Gidney,† assistant.

Thomas Newhall and William Bassett testified that Capt. Walker showed the bounds of his farm to some of the selectmen of Lyn, etc. Sworn in court.

Capt. Walker, aged about sixty-eight years, testified that being appointed with Capt. How by the town of Lyn to lay out several farms, there were granted to him 200 acres of land beyond the Iron works. All the land between this and Mr. Howell's was common. Sworn in court.

Richard Haven, jr., aged about twenty-nine years, testified that Thomas Newall, sr., Thomas Layton, sr., and Andrew Mansfild came to the now dwelling house of Daniell Hichins, sr., and asked deponent if he knew where the fence was that Thomas Browne, sr., made. They told him when they came back that they had thrown down the fence and made a thoroughfare through it. Daniell Hichens testified to the same. Sworn in court.

*Writ: John Davis v. John Tolly; debt; for four wainscot chests made by his order and delivered to him in his house; dated June 23, 1681; signed by John Fuller,† for the court and town of Lyn; and served by Richard Prytherch,† constable of Salem, by attachment of the bed of defendant, the summons being left with Mrs. Tauly.

Letter of attorney, dated May 11, 1681, given by John Tauleay† of Salem, mariner, to his honored father-in-law, Thomas Bryden. Wit: Thomas Maule† and Richard Croade.† Sworn, May 11, 1681, before William Browne,† assistant.

† Autograph.

† Autograph and seal.

Nathanill Kirtland, aged about thirty-four years, deposed that he brought from John Davis' shop at Lyn four chests and delivered them to John Tauly at his house in Salem. Davis told deponent that Tauly had them to carry to New-foundland. Sworn in court.

Bill of cost, 3li.

Eleaser Lenesey, aged about thirty-five years, deposed that Davis looked at a chest in Tawleay's house and the latter told him to make two or three as good as that for 25s. each. Sworn before William Browne,* assistant, and owned in court.

Richard Croade, aged about fifty-two years, testified that, on May 7, 1681, he heard Mr. John Tally read from his book his account with John Davis, and the latter did not disown it. Sworn, May 11, 1681, before William Browne,* assistant.

Samll. Blyghe, aged about twenty-two years, deposed that, being in the house of Mr. Wing of Boston in company with John Tawly of Salem and Joseph Cawly, he heard Tawly ask John Davis, joiner, of Lynn, to make the chests, saying he would rather Davis have his money than any one else, at the same time giving him 5s. Sworn, June 23, 1681, before William Browne,* assistant.

John Longley, aged about forty-two years, testified that on May 6, 1681, he heard Davis at Tauley's house call the latter a cheating knave, with many other absurd expressions, challenging him out of his own house to fight, threatening him. He also took hold of a wainscot chest in the room, threw it up and down the room, breaking several pieces of the front of the chest, etc. Davis was very much in drink. Elizabeth Tawley testified to the same. Sworn, June 28, 1681, before Bartho. Gedney,* assistant.

Joseph Calley, aged about thirty-seven years, deposed. Sworn, June 7, 1681, before John Richards,* assistant.

Eleazer Lenesey, aged about thirty-five years, testified that, being in John Davis' house at Line, after he had brought home the cloth, a whole piece of kersey, he said he had bought it of John Tawleay of Salem. Sworn before William Browne,* assistant.

Mary Ivory, aged about forty-two years, deposed that she was at Taulie's house when he received the chests. Sworn in court.

Samuell Ingols, aged about twenty-seven years, and Nathanil Willson, aged about nineteen years, deposed that the chests were worth 30s. each. Sworn in court.

John Longely, aged about forty-two years, and Thomas Eleat, aged about twenty-six years, deposed concerning the assault and that neither Tawley nor his wife could have any

* Autograph.

Benj. Ireson v. Tho. Laughton. Appeal from the judgment of the worshipful Bartholmew Gedney, Esq. Verdict for defendant, confirmation of the former judgment.*

Joseph Collens, John More and Ensign [Tho. — *Waste Book*.] Bancraft were sworn constables for Lin.

Wm. Hoare acknowledged judgment to Mr. John Higginson, jr., in fish, beef, pork, corn or wood.

peace while Davis was in the house. Sworn, May 9, 1681, before Bartho. Gedney,† assistant.

*Copy of papers in this action before Bartho. Gedney,† made by Bartho. Gedney,† assistant:

Writ: Tho. Laughton, jr. v. Benjamin Ireson and Phillip Welch, his servant; for said Welch either wilfully or carelessly riding over a red cow of Laughton's and breaking her bones; dated Apr. 27, 1681; signed by John Fuller, for the court and town of Lin; and served by Jacob Knight, constable of Lin.

Judgment rendered for plaintiff, the value of the cow before she was hurt, 40s., the defendants to have the cow. Appealed to the next county court, with Edward Richards and Benjamin Collins, as sureties.

Samuell Tarbox and John Darlin appraised the cow, on May 2, 1681, at 20s. in silver, just what her hide was worth. They lifted her up but she could not stand and they thought she never would.

Bill of cost of Thomas Laughton, jr., 16s.

Elizabeth Darling deposed, on May 2, 1681, that she heard Phillip Welch's mother say that she had let her son to Benjamin Ireson, about a month past.

Benjamin Irorsen's† reasons of appeal, dated May 2, 1681.

Thomas Laughton's† answer, dated Lyn, June 27, 1681, to Benjamin Ireson's reasons of appeal.

Phillip Welch, sr., testified that he had put his son Phillip to Ireson as his servant for one year, and he had nothing to say to it.

Samuell Tarbox deposed.

Samuell Tarbox and Benjamin Redknap testified that they found the cow lying above a lane called Daniell Johnson's lane, about twenty poles outside the end of the lane.

John and Elizabeth Darling testified that they were riding along the lane in Lin, when Phillip Welch, jr., came riding after them, overtook them, riding past them at a great pace with his hat under his arm. He rode over the cow, breaking her leg, and did not stop. This was on the Saturday

† Autograph.

Wm. Hoare acknowledged judgment to Mr. Timothy Lindall in fish, beef, pork, corn or wood.

Thomas Dorman took the freeman's oath.

Daniell Davison v. Nathaniell Greeffin. Verdict for plaintiff. To be paid in white oak pipestaves and red oak hoghead staves.*

Humfry Devorix v. Isaack Williams. Verdict for plaintiff.†

before the last general fast at about three o'clock in the afternoon.

*Writ, dated June 22, 1681, signed by Richard Currier,† clerk of the writs for Amsbury, and served by Robert Lord,† marshal, by attachment of a shop, bellows, a horse cart and wheels of defendant.

Letter of attorney, dated June 27, 1681, given by D. Davison† of Newbury, merchant, to Mr. Hugh March, sr., of Newbury. Wit: Jno. Wenborne† and Edward Tyng, jr.† Acknowledged, 28 : 4 : 1681, before Tho. Danforth,† Dep. Gov.

Danill Davison's bill of cost, 1li. 8s. 6d.

Nathl. Griffin Jrs. Dr., June 24, 1678, to 3 1-2 yds. Carsy at 7/6 yd., 1li. 6s. 3d.; 4 duz. buttens, 2s.; 6 Scanes silk, 9d.; 1 yd. cotten, 4s.; Aug. 20, 1678, 1 stock lock, 4s. 6d.; 2 Chest locks, 3s. 6d.; 4 yds. Ribben, 3s.; 1 quier of Paper, 8d.; Oct. 26, 1678, Remnant of Stufe, 2s. 6d.; 2 Scanes of Silke, 3d.; Mar. 13, 1678-9, 6 threed laces, 1s. 6d.; 1 combe, 1s. 8d.; 200 Shoenailles, 10d.; all to be paid in merchantable white oak pipestaves. To Sundry goods to be paid in red oak hohd. staves, May 10, 1679, 1 hatt, 12s.; 1 3-4 yd. galloway, 10s. 6d.; Ribben, 1s.; total, 3li. 14s. 11d. Per Contra, Cr., Sept. 27, 1679, by 500 hohd. Staves, 15s. Due to balance, 2li. 19s. 11d. June 27, 1681, Errors Excepted p me D. Davison.† Sworn at Newbury, 28 : 4 : 1681, before Tho. Danforth,† Dep. Gov.

†Writ: Humphrey Deverix v. Isack Williams; for withholding 20li. in silver due by agreement dated June 20, 1680; dated June 23, 1681; signed by Hilliard Veren,† for the court and town of Salem; and served by Rich. Prytherck,† constable.

John Lander, aged thirty-eight years, testified that being with Isack Williams, his father-in-law, the latter and Humphrey Deverix agreed that every month's payment should be indorsed on the back of the bill. John Wilkinson, aged about thirty-four years, testified to the same. They further testified that at the same time Deverix bade Williams make a pair of shoes for Joseph Getchell, which was to be credited upon the first month. Sworn in court.

† Autograph.

Mrs. White of Newbery had her former license renewed to keep a house of public entertainment and to draw wine and liquor for the ensuing year.

Whereas Margery, the relict and administratrix of Thomas Rowell, deceased, presented an inventory to the Ipswich court in Sept., 1662, and since it appearing that there was a part of the estate not inventoried, and said Margery having removed out of this jurisdiction, court appointed Jacob Rowell, the only son of deceased, as administrator. Capt. Dudley Bradstreet and Ensign Tho. Chandler made oath that Jacob was the son of said Thomas Rowell. Jacob Rowell presented an inventory of the remaining part of the estate.*

Nathaniel Peeas deposed that he was present when Williams delivered to Deverex a parcel of dry hides, valued at 3li. 4s., also money at different times. Sworn in court.

Joseph Gatchell, aged about thirty years, deposed that Devirex promised that if it appeared that anything toward the debt had been paid, it should be deducted. John Lander testified to the same. Sworn in court.

Humphery Deverixes bill of cost, 2li. 12s. 8d.

Bond, dated June 20, 1680, given by Isack Williams† of Salem to Humphrey Devirex, tanner, of Marblehead, for leather which he had had of him, for 22li. in silver, to be paid monthly. Wit: John Devorex† and Joseph Gatchell.† Sworn in court. Humphry Devorixes† receipt, dated June 24, 1680, for 15s. 6d. for Isack Williams, sr. John Deverix, jr., and Joseph Gatchell, witnesses, made oath to the signature.

*Petition of Jacob Rowell:† "That whereas y^e father of yo^r Hono^r humble petitioner died intestate in y^e year 1662 and administration of his estate was graunted to my mother and y^e estate then inuentoried disposed of by y^e Honoured County Court at Ipswich according to an agreement made betwixt my s^d father & mother before marriage which was just & equall as things were then represented to y^e Hon^d Court my self being then hardly out of my infancie, and my mother not soe much taking notice of my future right —ing her — childrens psent profit, I humbly Conceiue, things was not soe fairly represented to y^t Honor^d Court as ought to haue been done, for the inuentory then giuen in was false, there being aboue sixscore acres of Land not inuentored, some meadow & other things, alsoe 50^u taken out of my fathers estate in Consideration of w^t my mother had when he married her though I cannot understand she had

† Autograph.

‡ Autograph and seal.

John Allen, convicted of and having confessed to notorious and barbarous speeches against authority, the court, judging it their duty to bear witness against such sinful practices, fined him, much favor being shown him on account of his free confession.*

half soe much with her, upon these and other Considerations, I haue just Cause to think that y^e abousd Hon^d Court at Ipswich did not dispose of sd estate as they would haue done, had they been rightly informed my humble request to this Hond. Court is that they would be pleased to reuise y^e premises, & take such Care of y^e only child of a deceased father that he may haue his due of his fathers estate, and that others may not goe away with it, to whome it Cannot of right belong." He also requested to be appointed administrator, he being of age.

Inventory of the estate of Thomas Rowell, not included in the former inventory, brought in by Jacob Rowell,† and appraised by Dudley Bradstreet† and Thomas Chandler:† One hundred acres in the great division, 100li.; 25 acres of upland on Indian plain, being the third division, 30li.; meadow on ye west side of Shawshin river in 4 parcells, 30li.; 5 acres of meadow which was the last division of meadow, 15li.; 7 acres & a half of upland which was y^e swamp division, 7li.; total, 182li. Where there were 12li. mentioned for meadow, they left out 5 1-2 acres as it was laid out by the lot layers, which was worth far more than 12li.

*Warrant, dated June 20, 1681, for John Allen's appearance, signed by Daniel Denison,† and served by Robert Lord,† marshal of Ipswich.

Summons, to Stephen Greenleafe, jr., to appear as a witness, signed by Daniel Denison,† and served by Joseph Pike,† constable of Newbury, who charged 1s. 6d. for the service, Greenleafe living about three miles from his house.

Stephen Greenleafe, jr., aged about twenty-nine years, testified that in November last, the day before Salem court, being at Beverly in company with Daniel Waicum of Roule and John Allen of Solsbery, he heard Allen say that red-headed dogs and red-headed rogues ruled the country. Sworn, July 16, 1681, before Daniel Denison.†

Danell Wicom, aged above forty years, deposed that the discourse was about some differences between Major Pike and one Houke regarding lands. Allin said, "frend wickam I tell you this country is Ruled by Red hedid curs and Red hedid dogs and Red hedid Rogs." Sworn in court.

† Autograph.

Court having read a motion from the Suffolk county court for the appointing of persons to join with a committee from that court to lay out a new highway from Lynn to Boston, and considering that the present highway had been long continued and was at first orderly settled, and further not knowing any dissatisfaction in this county with the present established highway, it was ordered that action be suspended, pending investigation.*

John Allen's† petition: "I owne and I pray god to forgiue me, for I do Acknowledgs I haue don Exceedingly wickedly in three Respects, in the first place, I haue stroake the Law of God, in Raising A scandall of the fathers [of] our Common Wealth: 2ly : I do owne that I Neuer had Any Reason to Speake or think any Euill of the Gentlemen but do Declare that I Desire this Paper May be Read for the satisfaction of the Cuntrey that I haue Causlesly and wickedly Abused the Honoured Gentlemen. and 3ly: I was in and Under the Temptation of my Corrupt Base Nature that I Harkened to that; That plunged me into this Great Trouble But I houe this Honord Court will be pleased to Extend Charity to me and my Case and Take my word that I neuer More will by the help of God do any More So wickedly So Humbley Submitting my selfe to y^e Good will and pleasure of God and your Honours Marcy: I Subscribe my selfe though not worthy to be so Called by Reason of this Great Misdemeanor Your honou^rs moast Inferiour Seruant to Command Upon all occasions to my Utmost Power."

*Copy of an agreement of the bounds of Boston, Charlstown and Lyn in 1639, made by Abraham Palmer, Timmothy Tomlyns and John Olliver, appointed by the court to run the line between Boston and Lyn. They agreed "to Run a nornorwest Lyne into the Country from a tree marked standing Closse to brides brook near to the foot path to be Run by a meridian Compase the propriety of Any Lands layd out to the Inhabitants of Lyn being not disturbed." Copy from the Lyn records made by John Fuller,† town clark.

"Boston: June 27 : 1681

"Worp:¹¹ & much honrd Gentlemen

"I have accidentally been made acquainted with an order of our County Court obtayned as is p^rsumed by surprize & since y^e same remain ineffectuall without yo^r Concurrence I p^rsume to lay before y^e following Consideracons. 1: That Wynnysymet ferry is stated by y^e Gen^{ll} Court & for many years although unprofitable to y^e propriet^r was for

† Autograph.

y^e Countreys Conveniency & in hopes of future advantage mayntayned by M^r Bellingham And y^t y^e Improvemts on y^t Estate have been principally For y^e Accomodacon of y^e Ferry Noe less then Three hundred pounds haveing upon y^e Compl^t of Travellers for want of Convenient shelter been layd out by myselfe for building y^e new ferry house & stables w^{ch} would in a manner be useless in the place they stand in should y^e Ferry be Vnsettled or Removed 2^d: That y^e Ferry by grant & useage for about fifty years is become a Hereditament & cannot be Alienated or Destroyed but by y^e Gen^ll Court & y^t for Valluable Consideracon to y^e proprietr 3^d. That y^e project however disguised is private & pticuler (& not publique) advantage & Conveniency had y^e last been Intended Some Grand Jury men or Select men of Lyn or Boston would have made Complaint but noe Complaint nor Complayment are to be found or heard of in our Records nor from y^e Clarke y^t pass'd y^e order Now our Law Seems to provide however Reason Requires y^t noe publick order should pass but upon publicke Complaint That y^e Informant & Informacon being knowne the ptyes Concerned might have oportunity to object & make defence But for want thereof I am necessitated to this address. 4th That y^e designed way will be far more Inconvent & unsafe as I am ready to Demonstrate then y^t soe long layd out & used & That y^e Vallue of land y^t must necessarily be Imploy'd for these new highways, alteracon of fences & to make a firme foundation for a Bridge will be very Considerable and more then y^e Towns of Lynn & Boston will be willing to pay But on y^e Contrary Boston as is supposed when y^e project shall be knowne will Universally oppose it as y^t which Infers as great Mischiefe and Inconveniency to y^t Towne as to M^r Bellingham These Consideracons with y^e Remembrance of y^e Injury formerly designed M^r Bellingham and y^e great Expence & trouble to himself & y^e Countrey for Redress will I humbly hope p^rvaile att Salem to Reject this Motion And soe p^rvent y^e many Inconveniencys y^t will otherwise Enssue And oblige mee alwayes to hon^r yo^r Justice & Remayne

"Yo^r most humble & Faithfull Serv^t

"Richard Wharton."*

Copy of the perambulation between Boston and Lyn on Mar. 30, 1675, by Thomas Laughton, Thomas Marshall and John Newhall for Lyn, and Elias Mavericke, Elisha Hutchinson and John Smith for Boston. They agreed upon "the Line nor norwest as afowrsayd to be the bounds betwixt the Towns: part of wich line wee Run this day And Ouer agaynst the Hows where formarly Richard George Liued wee Agree

*Autograph.

upon a Noatted mark oupon the top of a Little Round hill about ten or twelf Rods to the Westward of the Cart path viz a Great Rock with a heap of stones one it ouer wich Rock Hanges a bough of a white Oake marked in the line." Copy made by John Fuller,* town clerk of Lyn.

Agreement between Boston and Lyn, Mar. 30, 1675, Elisha Hutchinon being desired by Lyn to run the line "wich is between boston Land or Rather M^r Samuells Bennetts Land and Land belonging to Lyn I did Run a line Nor Norwest by a merridian Compas or a neadle touched with his noe variation alowed from the midle of Brides Brook untill wee Came to Redding as wee supposed and near The Scotch hows at a Crache black oake with a heap of stones about it wee fell about fowr Rods and a halfe to the westward towards boston Land and in the line wee Rane wee marked seuerall Trees and Layd Heaps of Stones and in the line ouer Aganyst Richard Georges Hows wee fell about as much from a formar marke wich was A heap of stones as wee did at the Scotch hows this Line was Rune 22 of Aprill 1671." Copy made by John Fuller,* Towne Clerk of Lyn.

At a county court for Suffolk, Apr. 26, 1681, Capt. Elisha Hutchison, Mr. John Fayerweather and Deacon Jacob Elliott were appointed a committee with a committee from Essex county to lay out the most convenient and nearest way from Lynn to Boston, which is supposed to be over Noddle's Island, and to make return to court. Copy made by Isaack Addington,* clerk.

At a meeting of the selectmen of Lynn, 9 : 3 : 1671, it was agreed that the two following agreements should be entered: "This 13th of May 1662 Articles of Agreement betwene Samuells Bennit in behalfe of boston Selectmen of the one part and the selectmen of Lyn on the other part viz to settle the bounds between our Towns as followeth that wee doe Agree to measur from the middell of bryds brooke wher the foot path now Goeth upon a Square or straight Lyne to Malden Lyn and soe to Run up Malden Lynne untill wee Come to the Lenth of ether of the three last Stations of m^r Fichers Lynne And from the sayd place of Malden Lyne to Rune upon a strayt lynn or a square Lynne downe to the sayd Lynn of M^r Fichers if it be within thre or four pools of the bredth between bryds brooke and maulden lynne or if it be not then to make That station to be with in three or four pools of the bredth aforsayd att brides Brooke and ther to make a Certaine Station and one Abideing marke and from that Station to Rune upon a strayt lynne to bryds Brooke afowsayd and According To thees tow stations to Rune

* Autograph.

till wee Come ouer Agaynst John Pools mill or as farr as boston and Lyns lands Joyne and this to be our Certayne standing Bounds between our Towns If the selectmen of Boston Consent hearunto and Samuella Bennit doth in the behalfe of boston selecttmen make Choyse of Leuft Ficher to Rune thes Lynns Acounting to the premisses if thay Accept of it And to be done in a months tyme as wittnes our hands the day and year aboue wrightten and is Alsoe Agreed that the Charges of the Arttis shall be Equally payd Between The Towns as wittnes our hands 15th may 1662. Thomas Marshall, Thomas Laughton, John Hawthorn, Samuella Bennitt." The selectmen of Boston, by Hezekiah Usher, recorder, on May 16, 1662, confirmed this agreement. Copy made by John Fuller,* town clerk of Lyn.

Warranty deed, dated Nov. 29, 1649, from Val. Hill† of Boston, merchant, to Samuella Bennet of Linn, carpenter, a parcel of land called Walker's plain, between Linn Village, called Redding, and Hammersmith or the Iron works, bounded eastward by a small river dividing the plain and land of Mr. Leader of Hamersmith, northward by Linn river and the said small river meeting in one southward and westward by land of Samuella Bennet, lately purchased by him at the hand of Capt. John Leverret of Boston and grantor. Wit: Thomas Beard* and Henry Griffith.* Recorded, 15 : 10 : 1649, by William Aspinwall,* recorder.

Copy of the foregoing transaction made by Free Grace Bendall,* recorder, taken from Suffolk records, book 1, page 110.

Copy of deed, dated Oct. 1, 1649, from John Leverett and Vall Hill of Boston to Samuella Bennett of Lin, 600 acres of land, formerly purchased of Mr. Thomas Fowle, bounded on the southward by Capt. Robert Keine's farm, a certain creek dividing between the said farm and it, with the line of the bounds of Charlestowne westward, the line of Lin bounds eastward and northward, to the uttermost bounds of Boston in that place. Wit: John Tucker and Robert Hubert. Copy made by Free Grace Bendall,* recorder, taken from Suffolk records, book 1, page 110.

Perambulation between Boston and Lyn, dated Apr. 16, 1678, made by Thomas Brattle, John Fairweather, Elisha Huchinson, John Smith, for Boston, and Thomas Laughton, Thomas Marshall, Ralph King, Andrew Mansfield, John Burrill, for Lyn, according to agreement, May 15, 1662: "Wee Rune a lyn nornorwest by the Compass or neadle without Alowing Any thing for variation wich lyn is paralel to the Lyn betwixt Boston and Malden as it had ben for-

* Autograph.

† Autograph and seal.

Mr. Richard Hubbard dying intestate, Sarah, the relict, was appointed administratrix, and the settlement of the estate was referred to the next Ipswich court.*

marly Run from the midle of brides brook unto a heap of stonns oupon the Rock with in Goodman Edmonds fence from thence to a walnut tree marked on the one side B on the other side L wich Tree hath a heap of stonns at the Roote of it: from thence to a heape of stones upon a Litle brow of a hill ouer agaynst Goodman Gorges Hows wich stones Lyeth Eight Rods northerly from a tree marked in the bough of it wich bough Hanges ouer a Rocke from thence to a small Black Oake marked this Day B on the one syde L on The other side and a heap of stones about it wich stands neer the path att the foot of the hill one the south side of the Riuer befour you come att the scoch Hows: and soe Continuinge the Lyne Leuing the Scoch Hows within Line bounds: and so to a tree marked XXIII with stones about it: from thence to a tree marked XXIII with stones about The Roote upon the syde of a hill aboue and cald Corne feilde: and soe to a tree marked one syde B on the other syde L with stones about it and soe to Another Tree marked on one syde B on the other syde L with a heap of stones about it: and from thence to the Corner bounds betwixt Boston and Lyn wich bound is Alsoe in Redding Lyne wher wee Rayssed a Heape of Stones upon a syd of a hill with severall other marks in the Afowrsayd Lyne." Copy as entered on Boston records, May 24, 1678, by John Joyliffe, recorder, and on Lyn records by John Fuller,† town clerk.

Joshua Fisher certified to his running the line on Apr. 12, 1669. Copy made by John Fuller,† town clerk.

Thomas Towers, aged about fifty years, deposed that about twenty years past, when he cut some wood with other men for the use of the old Iron works at Lyn, the town claimed it was cut on the common and chose Mr. Laughton and Thomas Wheeler to discharge the wood cutters. The latter marked three trees, beginning by the pond belonging to the Iron works, a little walnut tree near the head of the two little ponds in or adjoining Plough plain, and on Reading old path at the head of that plain, a little crooked white oak. Mr. Bennett called it his property while deponent lived at the Iron works. Sworn, June 28, 1681, before Bartho. Gedney,† assistant.

*Inventory of the estate of Mr. Richard Hubbard, late of Ipswich, taken June 14, 1681, by John Appleton† and John Whipple:† his dweling hous & out housing with orchyard

† Autograph.

Capt. Richard Walker, Capt. Thomas Marshall and Mr. Thomas Loughton were sworn commissioners of Linn.

[John Ballard took the oath of clerk of the troop, under command of Capt. Richd. Walker of Lyn, being presented

& priveledge of comon and land adjoyning amounting to 220 acres more or less, 1000li.; by the reversion of a hous & lande in the hands of Robart Kollom, 200li.; his waring clothes Linon & woollin, 10li.; two oxen, one stere, 14li., 7 cowes, 21li., 3 yeare olds, 2 calves, 4li., 39li.; one horse, one mare & coult, eleven sheep, 4 lambes, 16 swine, 24li.; in the parler, a bedsted wth a downe beed with what belongs to it & two trundle beeds wth what belongs to them, books, 6li., 28li.; one truncke, one cubbard, one chest, 2 boxes, 6 lether chayers, thre — sute of curtins & a cubbard cloth, 9li. 2s.; looking glase, thre baskets, one worming pan, 1li. 12s.; in the poarch chamber, a fetherbeed, bolster, pillows, Curtins and what belongeth to it, 12li.; money, 3li., plate, 12li., cubburd wth drawers, a truncke, 25s., 16li. 5s.; in the parler chamber, beedsted wth a fether beed & sute of curtins with what belongs toe it, 9li.; 3 trunkes, 2 chests, one boxe, 3 chayers, two Rapiers, 5li. 16s.; two payer of Large hollon sheets, 2 payer of flaxen sheetes, 8li.; seven payer of hommade sheets & 5 payer of sheets, 11li.; 4 duz. & a half of napcines, 4li., five diaper table clothes, 7li. 10s.; 6 hollon cubbord clothes, 20s., two paier of holon pillowbeers, 20s., 2li.; eight paiere of flaxen pilowbeers, 40s., 14 table clothes, 40s., 4li.; 12 towels, 12s.; payer of pilowbeers, 3s., 10 yds. of coars cloth, 40s., 2li. 15s.; 17li. of yarne, 50s., sheeps wooll, 12s., 4 spinning wheels, 2 saddles & bridle, 7li. 2s.; large chest, 10s., 3 sakes wth a remnant of sakin, 2li.; flaskit, 2 tubes, cradle, screne, flockbeed wth what belongs, 3li. 10s.; 125li. of pewter, 12li. 10s., earthen wares & glasses, 20s., 13li. 10s.; flagin, beedpan, 3 candlesticks, 3 chamber pots, 2 quarte pots, two brase candlestikes, 3 Iron candlestikes, 4li., earth ware & glases, 20s., 2 tables, one cubburd, 8 old chayers, 3li. 10s.; payer of dogg cobirons, 20s., fouling pece, 30s., 2li.; 2 tramels, 2 paier of tonges, slice, 20s., scales & waites, 20s., 2li.; boxe iron, 6 cuchins with some small things, 1li.; 3 brass pots with hooks, a copper, 2 brase Ketls, brase pan, 12li.; 2 irone Ketles, 3 brasse scilits, 2 spits, a trevit, A racke, 2li. 14s.; gridiron, 2 dripping panes, 40s., 4 Kelers, 9 trayes, a cherne, 1li. 3s.; tubes, barels, firkins, chespress, paieles, 2li. 2s.; utensils for husbandry, 4li., a bull, 40s., 6li.; debts due to the estate from sevrall men, 4li. 4s.; total, 1,457li. 5s. Debts due from the estate to sevrall men already knowne, 69li. 13s. 3d.

by Capt. Walker and Lieut. Ralph King. — *Waste Book.*]

Mr. Benjamin Gerrish, John Leach and Ezekiel Cheever took the oath of freeman.

Mrs. Ann Hathorne, executrix of the will of Maj. William Hathorne, deceased, presented the will,* which was proved.

* Will of Wm. Hathorne† of Salem, dated Feb. 17, 1679-80: "It I Giue unto the two sonns, of my sonne Eleazer Hathorne late deceased viz: william & Samuell, forty pounds apeece, & to his daughter Abigaile, twenty pounds, which one hundred pounds, I doe order & appoynt my sonne John Hathorne to pay unto them out of what of my estate, I doe giue him, as is heereafter exprest, to the sonns, paialbe at the age of one & twenty yeares & the daughter at eightene yeares or marriage, and in case either of them depart this life before they come of age, as aforesaid, then his or their part to be to the suruiuing, an equall part.

"I Giue to my sonne John Hathorne, all my houseing & land oarchard & app'tenances lying in Salem, to him & his heires for euer. It wheareas I had formerly giuen to my sonne William (late deceased) in his life time three hundred & twenty Acres of land lying neere Groaten with two adventures at Sea, I doe by this my last will & testament confirme the same, & my will is, that Sarah his wife, my daughter in law, shall Haue & hold the same to her & to her heires & assignes for euer It for the other part of my farme at Groaten, Jervice Helwyes my grandchild, I giue it to him & his heires & assignes for euer provided he come ouer out of Urop to enjoy it, if not, then I giue it to my daughter Sarah Coakers two eldest sonns, by her husband Coaker, that are now liueing. It I giue to all the rest of my grand children ten shillings apeece payable to them, within one yeare after my decease: It I doe giue unto Ann my deere wife, all my moueable estate both within doare & with out to be at her dispose for euer, whome I make sole executrix of this my last will & testament and I doe appoint my sonne John Hathorne, & my sonn in law Israell Porter to be ouerseers of this my will & assist my wife:" Wit: Hilliard Veren, sr.,† and John Pickering.†

Inventory of the estate of Maj William Hathorne, Esq., taken June 10, 1681, by Hilliard Verent and John Pickering:† his dwelling house with the outhouseing, oarchard & land adjoyning & belonging thereto containing of upland & meddow about 60 acres, 450li.; a smale pcell of land for a warehouse at the burying poynt, 2li.; 5 cowes, 15li., 2 yearling heifers, 40s., 17li.; 4 swine young, 48s., 31 sheepe, 9li. 6s., 11li. 14s.;

† Autograph.

†Autograph and seal.

Tho. Maule, being attached by Richard Croad and not prosecuting, was allowed costs.*

Mr. Thomas Woodbridg dying intestate, administration upon his estate was granted to Mary, the relict, who swore to an inventory,† which she brought in.

12 lambs, 48s., 2 horses & 1 mare, 6li., 8li. 8s.; 7 mares & colts wild in the woods, 7li.; severall goods left in the house, bedsteeds, cubbords, tables, chaires, chests, potts, tooles, cart tackling, plow geere & other lumber, 7li. 10s.; chest with severall old bookes, 4li. 10s.; a farme at or neare Groaton containing about 640 ackers, 50li.; plate, 8li.; cash, 110li.; featherbed, bolster, pillowes, curtaines, vallins, & all appurtenances, 8li.; 1 more featherbed, coverings, Rugg & appurtenances, 6li.; 1 more featherbed smaler one, Ruggs, blanketts & appurtenances, 4li. 10s.; flockbed, bolster, & all belonging thereto, 2li.; a turky carpett & 2 old carpetts, 1li. 15s.; 9 chaires, 8 joyne stooles & 10 cushins, 2li. 10s.; 3 guns, 3 old pistolls, Rapier & cutles, 3li.; his wearing apparrell wollen & linen, 15li.; 66 yds. linen & cotten cloath, 8li. 5s.; pewter, 3li.; brass Kettles, pan, pott, scales, skilletts, warming pan, &c, 5li.; Iron potts & other housold goods & iron, 1li. 10s.; old axes & other old tooles & lumber, 10s.; 6 yds. home made woollen cloth, 1li. 7s., a still & appurtenances, 1li. 10s.; 10li. linen yarne & 12li. of cotten & flax, 2li. 4s.; table, bed & housold linen &c., 11li.; horse furniture &c., 1li.; total, 754li. 3s. There is something owing from the treasurer, & something owing to ye contrye or demanded for powder money not yett knowne. The estate is Dr., for funerall expences, 41li.; owing to severall men, 1li. 2s.; total, 42li. 2s.

*Writ, dated June 16, 1681, for claiming plaintiff's land, signed by Hilliard Veren,† for the court and town of Salem.

Thomas Maule's bill of cost, 15s.

†Inventory of the estate of Mr. Thomas Woodbridge who died Mar. 30, 1681, taken June 3, 1681, by Dudley Bradstreet:‡ the dwelling house, warehouse & about 3 qrs. of an acre of land, 150li.; about halfe an acre of land by the water side, 20li.; three feether beds, 1 flockbed with the bedsteeds & furniture belonging to them, 20li.; eight pare of housewives sheets, 3 paire of dowles pillowbyes, 2li. 4s.; foure paire of sheets of a finer sort with 2 paire of pillowbyes, 1li. 10s.; Two paire of holland sheets with 2 paire of pillowbyes, 2li.; Two holland tablecloathes, 23 diaper napkins & two callico cupboard cloathes, 1li. 10s.; Two course tablecloathes & 24 napkins, 12s.; Ten course towells, 5s.; Halfe a dosin of leather chaires, 2 broken, 1li. 4s.; 7 great chaires wth armes & 18

‡ Autograph.

Griffen Edwards, husband of Elizabeth, daughter of Ann, the now wife of Mr. John Miles, the only surviving child of John Humphryes, Esq., deceased, presenting a letter of attorney from Ann, his mother-in-law, and also a certificate from the mayor of Clonmell in Ireland that Ann was the only surviving child of said Humphreys, was appointed administrator of the estate in behalf of his mother-in-law of all the estate of John Humphrey in the colony of Massachusetts. Court having formerly ordered Mr. Thomas Price and Mrs. Elizabeth Pelham, upon receiving Col. Humphrey's farm at Lyn, to pay 75li. 17s. to Mr. Edm. Batter, which was a debt due from the estate, it was now ordered that said Price and Pelham should keep the farm in their possession until they shall be reimbursed that amount in good vendable English goods or provisions, and until they also be reimbursed 10li., which as a legacy of Mr. Joseph Humpherie they paid to Mr. Samuëll Whiting, the pastor of the church of Lyn, and then upon such receipt that possession be delivered to Griffen Edwards.*

small chaires, 1li. 12s.; a chest of drawers, 10s.; Three chests & two trunks, 10s.; Three old trunks & two small ditto, 14s.; fifteen pewter dishes, two basins, 1 dosin of plates, 7 pottingers & a mustard pott, 3li.; 2 chamberpotts & a tankard, 5s.; Earthen ware, old pewter & old latin ware, 10s.; five silver spoones & a wine cup, 2li.; 1 brasse kettle, 1 warming pan, 2 skillets, skimmer & ladle, 2li. 5s.; 3 paire of Iron andirons, 3 trammels, 1 firepan, 1 paire of tongs, 1 Iron forke, 2 Iron candlesticks, 1 spitt, 1 chopping knife & a chafin dish, 1li. 5s.; 2 Iron potts, 2 Iron kettles, 1 fender, 1 Iron dripping pan, 1 gridiron, 2li.; 1 Jack & chaine, 1 old muskett, 1li.; 3 tables, 1li.; his wearing cloathes, 5li.; barrells & lumber & a sieve, 10s.; 7 cushions, 3s.; 2 bibles & 2 other books, 5s.; 3 boxes, 3s.; cash, 1li. 3s.; 2 load of wood, 5s.

*Petition of Griffen Edwards,† attorney to John Miles and Anne, his wife, the only surviving child of Col. John Humphreys, deceased: that whereas court, on 26 : 9 : 1672, ordered Elizabeth Pelham and Thomas Price to have possession of a farm at Lyn, which was at that time in the possession of Edmund Batter, administrator, with Joseph Humphreys, of the estate of Col. John Humphreys, here in New England, he now requests that the estate be settled upon the right heir.

†Autograph.

Abigaile Lambert chose her uncle Thomas Lambert to be her guardian and it was allowed.

Richard Richesson dying intestate, administration upon his estate was granted to Amy, the relict, who brought in an inventory,* which was allowed. Court ordered to Richard, the eldest son, 6li., and to John, Frances, Thomas, Ebenezer and Mary, 3li. each, at age or marriage; the remainder to the widow.

Thomas Robbins being sent for by warrant to appear before the court to give reasons for refusing to acknowledge a deed of gift to Richard Croad's daughter of some land, court ordered the deed be entered as a caution, he not being able to appear through weakness.

Mr. Samuëll Apleton, appellant, was bound to prosecute, with Major S. Appleton, Mr. Ed. Batter and Mr. Hugh March, as sureties.

John Tomkins dying intestate, court granted administration to Mary, the relict, and John Tompkins, son of deceased,

John Floyd, aged about forty-five years, deposed that being at John Miele's house the last spring he heard Miele and his wife say that they had appointed Griffin Edwards their attorney. Sworn in court.

Edward Richards, aged about sixty-five years, deposed that John Miles and his wife Anne appointed their son, Griffin Edwards, their attorney. Also, that Mr. Jonathan Palmes sent for deponent to Boston, Jan. 17, last and desired him to assist his brother, Griffin Edwards, etc. Sworn in court.

Letter of attorney, dated Jan. 15, 1680, given by John Myles† of Swanzey, colony of New Plimouth, in New England, clerk, who married Ann Palmes, relict of William Palmes, late of Ardfinan, County Tipperary, Ireland, gentleman, and Ann Myels‡ his wife, to their son Griffin Edwards of Boston, merchant. Wit: Jno. Haynes† and Roger Dobelday.†

*Inventory of the estate of Richard Richeson, brought in by the widow, Amy, taken June 24, 1681, by Roberd (his mark) Rand and William Bassett:† on house and land, 40li.; to cowes and on calf, 6li. 10s.; on hors, 5li.; swin, 9li.; on barn, 4li.; bedding and bedsted, 2li. 10s.; Iorn ware, 1li. 10s.; wearing cloaths, 2li.; chests, chears, whells, cradle, on setell, on pall and tras, 2li.; putr, 8s.; armes, 1li.; Ingin corne and mault, 1li.; flax, 1li.; met, 6s. 8d.; on pese of serg and linin cloth, 1li. 4s.; total, 77li. 8s. 8d.

† Autograph.

‡ Autograph and seal.

who brought in an inventory* of the estate, the land to be for security, and the estate was to be settled at the next Salem court.

*Inventory of the estate of John Tomkins, taken June 30, 1681, by Edmund Batter† and Nathaniel Felton, sr.:† dwelling house, barne, outhouses, orchard, with about seaventeene acres of improved land, 100li.; an acre of fresh meadow, 2li.; bed and bedstead with all furniture thereunto belonging, 3li. 10s.; 2 payre of sheets, a blanket, 2 shirts, 1li. 10s.; his wearing Apparel, 2li. 10s.; 4 pewtor platters, 1 basen, a drip-pinge pan, 9s.; linnen & wollen wheele, 3 chests, 3 seives and other lumber as tubs, payles &c., 1li. 10s.; Iron pot, pothookes, hake, fire shovel, tongs, firepan, gridiron, 12s.; an old brasse kette & skillet and a parcel of Linnen Yarne, 10s.; Tow combe with a brake & toutow, 1li.; flax and hemepe, 1li. 5s.; Indian Corne, 2li.; workinge tooles, 10s.; 2 cowes 32 yeare old, 2 calves, 1li. 10s.; 3 swine, 3li.; musket and sword, mortar, smoothinge iron and some smal bookes, 2li.; Corne upon the ground, 2li.; total, 135li. 16s.

More to be added to the inventory: an how, croe, plow chaine, wheelebarrow, cops & pin with old iron, 1li.; stone jugg & bill hook, 3s. 6d., sheeps wooll, 4s., 7s. 6d.; load fresh meddow Hay, 10s., 2 B. Ry, 8s., 18s.; By what the estate is credit by severall men, viz., John Felton, 9s.; Frances Nurss, 8s., John Nurss, 6s., 14s.; John Tompkins, 15s.; Hugh Joanes, 10s.; more by John Tompkins, 3s. 6d.; the widdow Tompkins to pay for corne spent, 1li. 4s.; total, 6li. 1s. John Tomkins debter to Mr. Batter, 1li. 10s.; John Hibbert, 2li. 7s. 6d.; Mr. Roberts, 16s. 6d.; John Foster, sr., 15s. 6d.; Mr. Geerish, 3li. 2s. 6d.; Capt Price, 21s., John Cromwell, 11s. 7d., 1li. 12s. 7d.; Mannasses Maston, 5s., Jon. Foster, 24s., 1li. 9s.. Isaack Cook, 9s., Samuell Ebborne, 4s. 6d., 13s. 6d.; Wm. Osbourne, 14s., Mr. Bowditch, 20s., 1li. 14s.; Nathaniell Silsby, 14s., John Procter, 3s., 17s.; John Bachelor, 13s., John Pudney, 2s. 6d., 15s. 6d.; a steere dyed, 1li. 15s.; 23 1-2li. of flax owing Jacob Read, 1li. 3s. 6d.; spent by the widdow in corne & Ry, 1li. 4s.; Tho. Maule in money, 10s.; rent for the cows to Mr. Woodbery, and two cows delivered him, 6li. 12s.; total, 26li. 16s. 1d.

An addition to the inventory of the estate of John Tomkins, which inventory was delivered into Salem court in June last, 1681, taken by Edmond Batter† and Nathanel Felton:† two acres of Indian corne upon the ground, 2li.; thre bushels of Rye, 12s.; a parcel of Oates, 12s.; five load of hay, 2li. 10s.; one Cow, 2li.; an Iron crow, plow chayne, wheel barrow,

† Autograph.

Humphry Woodbery had his former license renewed for the ensuing year.

George Darling had his license renewed.

Sarah Needham, presented for fornication, upon common fame, she having had a child born within three months, was fined.*

The Worshipful Bartholmew Gedney, Esq., was ordered to disburse what money came into his hands for the repair and making secure the prison at Salem.

John Davis, for abusing Mr. John Tawley in his own house, calling him rogue and cheater, and challenging him out of the house, was fined.†

Whereas this court, by order of the General Court, was impowered to take into their hands all the estate of Nicholas

cops & pin with some old iron, 1li.; stone jugg and bil hooke, 3s. 6d.; sheeps wooll, 4s.; total, 9li. 1s. 6d. The estate of the Relict before marriage, 35 acres of land with the old house, 120li.; halfe an acre of salt marsh, 5li.; bed and trundle bedstead, 12s.; total, 125li. 12s.

Nathaniel Tomkins, John Tomkins, Sarah Tomkins, Elizabeth, Mary, Deborah, Priscilla.

2 Load of hay to Goodm. Beanes for Boards to repair my husband Tomkins his housing, 2li.; halfe a steere to Samll. Small for building my said husbands Barne, 2li. 1s.; To the said Small out of my owne Estate in money on the same acct., 1li.; a cow lent my said husband that was my Daughters and never repaid, 3li.; 23 1-2li. flax lent him wch was my owne, 1li. 3s.; total, 9li. 5s. 2d. An account of sundry things of mine mixed with my husband Tomkins his estate contrary to agreement made: 7 head neat cattle at about 14li.; 7 swine, 3li. 10s.; 50 Bush. Corne, 6li. 5s.; 10 load Hay, 10li.; total, 33li. 15s.

Josiah White and Remember, his wife, deposed that they heard John Tomkins say that it was his will that his eldest son Nathaniel Tomkins should have his then dwelling house with the barn and ground adjoining, because he had given him little or nothing and had given his other children something considerable or their portions. This was a short time before he died. Sworn, Nov. 30, 1681, before B. Gedney,† assistant.

*She was daughter of Walter Fairefield.

†Lynn presentment. Wit: John Longley and Thomas Elliott.

‡ Autograph.

Maning, either in possession or reversion, and ordered it for the necessary use of Elizabeth, wife of said Nicholas Maning, and not finding any estate unincumbered, court appointed Mr. Samuel Gardner, sr., Capt. John Price and Leift. John Higgenson a committee with the assistance of the constable as need shall be, to make search for and seize all such household goods, bedding and utensils of said Maning's and clothing of said Elizabeth's as may be found, and deliver them to her, as well as her thirds of all houses and lands in which she had not released her dower.*

*Copy of the record of a General Court held at Boston, May 11, 1681, relating to Elizabeth Manning's estate, made by Edwd. Rawson,† secretary.

Return, dated Salem, June 8, 1681, of Samuel Gardner, sr.,† Jno. Price† and Jno. Higginson, jr.,† the committee appointed by the county court: "We went to the house of Mrs. Maning, mother to Nich^o Maning & demanded such goods as she had in her possession of sd. Nich. Maning who told us y^t what was in her hands of sd Nich^o Maning was atached by M^r An^t Cheekly & left in her hands. we wth the asistance of Constable Rich^d Prithireh seized on said Goods & left them in the hands of said Mrs. Maning to be responsable to answer the Courts order the perticulers whereof Constable pritherik has an accompt we haue also layd out unto her said Elizabeth Maning at the Broad Feild a pcell of land Containing in breadth at the North End next y^e highway two pole & a halfe & bounded on the East wth the land of Leut Jn^o Pickring & ranges downe southerly the length of said pickrings land & is in breadth at the end of said pickrings land one pole & about eleven fott & so the west line continued downe to y^e watterside takeing in all y^t percell of land lying to the southward of s^d pickrings land bounded on the Easte wth y^e land of m^r White or M^r Jno. Hathorne & so downe to y^e watter & is in Breadth next ye riuer about six pole as it is staked out, & further we haue set outto the said Elizabeth Maning as her thirds of sd Manings housing all the old part of the dwelling house & the land whereon it stands one third part of the Barne standing on Rob^t Grays land y^e south End of it & one third part of the shop ye south end of y^t & we haue layd out unto sd Elizabeth Maning one third part of the orchard wth three Rows of Tres thereon being the northerly part of the orchard next Jn^o Preist land & staked it out & further we haue staked out in y^e Garden for her from Robt. Grays land southerly about one pole in Breadth from the orchard Fence to the strett Easterly taking

† Autograph.

Moses Vowden dying intestate, administration was granted to Mary, the relict, who brought in an inventory* amounting to about 130li., which was ordered to be paid to Mary and Elizabeth, children of deceased, 10li. each, at age or marriage, and the remainder to the widow. Mary, the widow, and John Ormes were bound for the payment of the children's portion.

Benjamin Felton, being sworn, testified that Joseph Kemboll was at the prison in Salem twice in one day while George Fairefax was in prison, and he heard said Kimboll say to the prisoner, "You Rogue, why doe you tell soe many lyes on me," and the prisoner replied, "I told noe lyes on you. I told the truth for you did cutt of the potthoocks with a knife."

Joseph Kemboll, complained of for being instrumental in cutting or filing an iron put about the neck of one George Fairfax, and not denying it, was sentenced to be whipped or pay a fine. He was also to pay a fine to Tho. Rayment for pursuing the runaway. Court suspended the further prosecution against him for suspicion of assisting said Fairfax in breaking prison, until a later date, Tho. Ives engaging for his servant, and execution to go out against both jointly.†

in one Rowe of apletrees & it is in Breadth next y^e street from y^e Bounds of Rob^t Grays land to ye North East corner of sd Manings new house, & we doe apoint to her a way out of the Garden to y^t part of the orchard layd out to her of four foott wide along by the fence side."

*Inventory of the estate of Moses Vouden, presented by Mary Vouden and taken June 28, 1681, by John Browne, sr.,† and Samuell Gardner, jr.:‡ a small Lighter about 15 tun, 36li.; flockbed, 15s., 3 blanckits, 15s., 1li. 10s.; 2 cabbin Ruggs & 2 bed Ruggs, 1li. 10s.; muskit, 10s.; 46li. in cotten wooll, 2li. 16s.; Iron pott, 7s., small trunck, 3s., 10s.; 3 chests, 20s., A chest drawers, 40s., 3li.; 2 truncks, 7s., 8 chaires, 8s. 15s.; 2 small tables, 5s., earten ware, 5s., 10s.; featherbed, bedstead & furniture, 5li.; pewtor & Brasse, 7li. 10s.; 5 pr. sheets, 2 doz. napkins, 7li.; 3 table cloths, 6 towels & 6 pr. pillowbeers, 2li. 16s.; 2 Cubbard clothes, 10s.; firepan & tongs & glasses, 3s.; debts due to ye estate, 24li. 6d.; about 24 gall. Rom, 1li. 16s.; A barrel molasas, 1li. 5s.; his wearing clothes, 6li.; cash, 24li. 18s. 6d.; 13 yds. furston, 13s.; 23 yds. blue linin, 1li. 3s.; 6 yds. searge, 18s.; total, 130li. 3s. 6d.

†Walter Fayerfield, aged about forty-nine years, deposed

‡ Autograph.

Robert Wilson dying intestate, Ann, the relict, was granted administration upon his estate. She brought in an inventory* amounting to 150li., and whereas there was a legacy of Tamsen Buffum's, which by right belonged to Robert and Deborah, children of deceased, court ordered the widow to pay it to said Robert and Deborah, and to Anna, John, Mary and Elizabeth, children by this administratrix, all the six children to have 7li. each at age or marriage, except Robert, the eldest, who was to have 14li., the houses and lands to be bound for security.

that "on Monday last was sevensnight sum time in the afternoon there was a yeuth at my house which had then an Iron about his neck which to my understanding did signifie that he had bien a Runaway and by the Information that I had conserning him he was sayd to be Thomas Rayments seruant and at the same time Joseph Kimball was at my house and by the sayd Kimbals discourc and by the other yewths present in words they both were agreed that the said kimball was then forth with to haue carryed hom the said Rayments to his master but after they had been gon from our house about two hours as the sayd Kimball sayd to catch a young hors the sayd Kimball did come to our house again and then he did tell at our house that he had left the said Rayments boy with a horse that he went to catch whilst the said Kimball went to geet more help to catch him and when he Returned to the place wher he had left him he was gone and Kimball said he could not find the boy nor the horse and I doe testifie that the last that I did se of the sayd Rayments boy on the fore said time he had Irons about his necke."

William Faierfeild, aged about eighteen years, deposed.

*Inventory of the estate of Robert Willson of Salem, taken May 8, 1681, by William Traske† and Daniell Southwick:† his dwelling howse & outhowseing & ye land wch ye said howse stands & is belonging to it in ye Towne, 60li.; 30 acres of Land in ye limitts of Salum neer to Samuel Verries Farme, 38li.; a standing bedsteed in ye lower roome, featherbed & bolster with ye Furniture upon & about ye said bed, 7li.; one Trundle bedsteed & flogg bedd, a small bolster, 3 feather pillowes with ye covrings & what elce belongs to ye said bed, 3li. 10s.; 1 Table cloath & 10 napkins, 15s.; his wearing apparell, 8li.; 1 Saddle & bridle & 2 rasors, 15s.; 1 cuppboard, 1li.; 3 chests, 2 boxes & a desk, 1li.; 1 Table & forme, 1li.; chaires & other wooden Lumber, 1li.; 3 brass Kettles, 3 Iron potts, warming pan, 2 skillets, Ladle, skimmer & dark lanthorne, 2li. 6s.;

† Autograph.

Hannah Diven, complained of for speaking words of great reproach against Mr. Henry Roads, carrying with them some reflection against Mr. Whiting, and confessing that if she said anything it was done foolishly and wickedly, was fined and admonished.*

a spitt, 2 hakes, firepan, gridiron, a pr. bellows, 16s.; a fowleing peece, musket, sword & belt, 2li.; 12 pewter porringers, 18s.; 10 pewter Basons, 25s., 2li. 3s.; 12 pewter platters, 2li.; 1 brass candlestick, 2 pewter potts & other small pewter ware, 8s.; glasses, 2s., bell mettle mortar & smoothing Iron, 8s.; 2 Bibles, 12s., earthen ware, 1s., 13s.; 16li. Lynnen & woollen yarne, 16s.; his carpenters Tooles & other utensills, 2li. 10s.; his cart & wheels & horse Tacklin, 2li.; —, 3li., 2 cowes, 6li., a grey horse, 30s., 10li. 10s.; a mare, 1li. 10s.; 3 sheep & a lamb, 20s., part of a canoo & part of a grindstone, 6s., 1li. 6s.; total, 151li. 6s. Debts oweing to ye estate, 15li. 1s. 8d. The estate is Debtor, 16li.

*Complaint, dated June 28, 1681, of Henery Rhodest† of Lynn, who intended to have presented his grievance to the grand jury, but they being dismissed before lecture, being the second day of this court, he was disappointed, although he was there an hour before lecture: Hannah, wife of John Diven, jr., of Lynn, presented "for her approbriouse reproachfull tearmes shee hath spoken of mee, which tends to the great dishonor of god the scandle of Religion, defaming to my name, of reflection upon my posteryty & injurouse to my estat, as haueing (a mill) in her sayeing I was an ould theefe, & would steale enough to maintaine Joseph Whiteing, & these words were spoken by her about the tyme of the ordination at Lyn in october Last. And wheras shee hath soe sorley reflected uppon o^r Reverend Teacher m^r Joseph Whiteing, as if hee would receiue stolne goods, & it is said the receiuer is as bad as the theefe, whoe is a gentleman eminentlye esteemed of both for pietye, & honesty, y^t it is much wondered by manye that any should have the face to make mention of his name, on such account & Cannot imagine why his name should in such sort bee mentioned, except such a evill spirit by crept in amongst some, to render the inocent, odiousse to accomodate some end, as for my selfe, as charged with theft, I bless god, I can saflye swear, I am Inocent, & y^t o^r Reverend Teacher never receiued of mee any thing y^t was stolne. . . . 2^dly I Humblye p^rsent as my Complaint Tonye the Neagor servant of Samuell Johnson of Lynn as being in my Mill on Satterdaye. And for his emptyeing aboute on Bushell, & halfe of meale y^t was another man's

† Autograph.

Humphry Devorix and his wife, for fornication before marriage, were dismissed, upon testimony of the midwife, Wibrow Gatchell, and Doctor Knott, concerning the child.*

Hen. Cooke, for beating and abusing John Pudney, jr., was fined.†

into a bag that hee brought but was hindered y^t he carryed it not away & severall tymes I haue had Corne stolne out of the mill. Witt: Sam^l Rhoads: Robert Coates."

Bill of cost, 12s.

Danell (his mark) Needham, aged about forty or forty-one years, deposed that he heard Hannah Diven say Rhodes was an old thief. Sworn, July 1, 1681, before B. Gedney,‡ assistant.

Sarah (her mark) Davis, aged about thirty-five years, deposed, June 14, 1681, the same. Sworn, July 1, 1681, before Bartho. Gedney,‡ assistant.

Ruth (her mark) Needham, aged about forty years, deposed, May 26, 1681, that Hannah Diven spoke these words on a Sabbath day near the time of the ordination of their ministers. Sworn, June 15, 1681, before Bartho. Gedney,‡ assistant.

Hannah Jewet,‡ aged about eighteen years, testified, May 26, 1681, that Hannah said Rhodes stole enough to maintain Joseph Whiting, but they were poor folks and must bear the loss of it. Sworn, May 27, 1681, before Bartho. Gedney,‡ assistant.

Hannah Diven could not remember any time when she had spoken these words, but acknowledged that if she had done so she had spoken foolishly and wickedly, etc. Sworn in court.

*Wiborough Gatchell, aged about sixty-five years, testified concerning her services as midwife for Elizabeth Devereux, who was struck by a cow while she was milking, etc.

Marblehead presentment.

†Isack Verry, aged seventeen years, testified that as he was in the woods at work about five months ago, near a place where John Pudney, jr., was at work, he saw Henry Cooke violently beat Pudney off from the tree he was working on, give him several blows, pull him by the ears, kick him and call him cowardly whelp. Pudny replied that he never ran into a pig sty. Cooke threatened to knock him in the head. Sworn in court.

Jno. Pudney, jr., aged about seventeen years, deposed that he was cutting wood as his father had directed. His uncle Henry Cooke, etc. Sworn in court.

Witnesses to the presentment: Isack Verie, John Pudney, jr., and Peeter Twist.

‡ Autograph.

Tho. Verry and his wife, for fornication before marriage, were fined.*

Ephraim Herrick, presented for telling a pernicious lie, and it not being proved, was dismissed.†

Leift. Jeremiah Neale was granted administration upon whatever estate properly belonged to Mary Mansfeild, executrix of her former husband John Neale's estate, at the time of her decease. Said Jeremiah was ordered to bring in an inventory to the next Ipswich or Salem court.

Mr. Timothy Lindall was granted administration upon the estate of Robert Starr, jr., in this country, and was ordered to bring in an inventory to the next Salem court.

In answer to the petition of An Neale, relict and administratrix of the estate of John Neale, jr., court, not having before had the facts concerning the great loss in the estate by the burning of the sloop, ordered as a matter of justice to the children of deceased, to John, the eldest, 20li., Thomas, 10li., Joseph, 10li., and Rebecka, 10li., at age or marriage. The widow was to have the remainder, the land called Tuck's lot or field to be security for the payment of the children's portions.‡

*Petition of Thomas Verry:§ that his offence against the law of the Colony was a great grief and trouble to him and his wife and he asked that the authority would extend their charity to so poor a worm both in respect to estate and guilt; that they were engaged to be married with the consent of their parents, etc.

Thomas Verry was the son of Samuel Verry, sr.

†Ephraim Herrick, sr., of Beverly, presented for lying about buying and selling a heifer. Wit: James Moulton, Samuell Moulton and James Frind.

James Moulton, aged forty-four years, James Friend, aged thirty-nine years, and Samuell Moulton, aged thirty-eight years, testified that Ephraim Herrick, who bought a heifer of Samuell Moulton and sold it to Thomas Edwards told them that he could afford to give but 30s. for it for he had sold it for that amount. Later Edwards said Herrick was a pernicious liar for he had to give 45s. for the heifer.

‡Petition of Ann Neale:§ "the Lord taking away my husband by death, & leaft me — children very smale, & with child with a fourth, & what litle estate he left, was not

§ Autograph.

cleare, in part, & other part not in possession nor like to be for many yeares to come, & noe house of our owne & what litle quick stocke of any kind not sufficient to pay debts & such as prouissions & hay & the like being spent in my lying in & for food for my children, & the haye spent by the cattle the Inventory being soone after my husband deceased taken just before winter though not brought into court till neere a yeare after, I being for my pt soe neere my time & helples & involved in severall straits, & not under standing the nature of such things was willing to be guided by som friends & when the Inventory was brought into court the last Nouember through Inconsideratenes & inadvertancye, did not giue the court a right understanding of the condition the estate was left in & my owne condition that since upon deliberat consideration, & advice of freinds, that are under a sence of my condition, Humbly make bold to petition this Hon^d Court, to take a review of what was done about the estate then, & giue me opertunity to informe the court aright in few words, & as it may appeere that I may be releived according to what the Hon^d court shall Judg to be Just & right, or eles grant me that fauor that I may be released from my administrixship: rather choosing it to be left to shift to y^e naked world, under the disposing hand of God, then to unavoydably in volue my selfe in such a condition, as I am like to be in."

List of presentments, signed by John Rucke,* foreman of the grand jury:

Robin Cokes, for abusing Joseph Bube, beating him about the head and tearing the flesh of his face, in said Boobes house. Wit: Joseph Boobe and Henery Rusell.

Robin Cokes, for swearing. Wit: Samuel Sandey, constable.

Nathanell Somes, Abegall Somes, John Peers, jr., and his wife and the widow Marie Hamonds, all of Gloster, for absenting themselves from the public ordinance of God. Wit: Willyam Vinson, tythingman, and William Griges, grand-juryman.

James Burn, for profaning the Sabbath and excessive drinking. Wit: Nathanell Putman, sr., and Josaway Ray, sr.

Peter Twist and Presila Vinton, for fornication.

The town of Salem and Marblehead for not keeping in repair the bridge at Forest river. Wit: John Hoomes and Samuell Eborn, sr.

Summons, dated 29 : 4 : 1681, for the appearance of Peeter Twist and Precilla Vinton, Thomas Very and wife, Henry Cook, and their witnesses, signed by Hilliard Veren,* cleric, and served by John Rogers,* constable of Salem.

* Autograph

Venire for Wenham, dated May 30, 1681, signed by Hilliard Veren,* cleric, and served by Thomas Fiske,* constable, who returned the name of Charles Gott for the trial jury.

Venire for Lynn, dated 16 : 3 : 1681, signed by Hilliard Veren,* cleric, and served by Jacob Knight* and Richard Hood,* constables, who returned the names of Mathew Farington, sr., John Hawks, Thomas Laughton, jr., and Elieezur Linzy for the jury of trials and warned the grand jurymen to attend. Captain Waker, Capt. Marshel and Mr. Laton were chosen commissioners of Linn.

Approbation, dated June 25, 1681, of the selectmen of Lyn, John Fuller,* Rich. Walker,* William Bassett,* Ralph King,* Thomas Newhall,* Mathew Farington* and Samuall Cobbett,* "that our Louing Frend And naybor Theophilus Baylly may be Continued with a Lysenc to sell such drink as formarly wee knowing nothing that Hath bene offencyeue a Gaynst our Laws by the sayd man."

Approbation, dated June 15, 1681, of the selectmen of Newbury, Nickolas Noyes,* Samuall Plumer,* Moses Gerrish* and Joseph Pike,* "that M^r Ann White being formerly by y^e approbacon of y^e selectmen licenced to keepe a house of Publicke entertainmt hath as farr as wee know giuen good content in her place, and demeaned herselfe discreetely & soberly in it, and wee thinke her fitt to bee continued in the Employmt."

At a General Court held at Boston, May 11, 1681, Ezekiel Cheevers, Jno. Leech and Benjamin Gerrish were admitted to the freedom of this Colony, as attest, Edward Rawson,* secretary.

Joseph Dodge, Paul Thorndicke and Jno. Balch of Beverly were admitted freemen May 19, 1680, as attest, Edwd. Rawson,* secretary.

Henrie Russell of Marvellhead testified that when he was on the grand jury Joseph Bubie came into his house with the skin of his face torn away and desired deponent to present Roben Cox for beating him. Sworn in court.

Samuall Sanding testified that some time the last winter he heard Robert Cox swear three times by the name of God. Sworn in court.

Joseph Boubert, aged about thirty years, testified that Cox struck him six times on his nose and face, bringing blood. Sworn in court.

Warrant, dated June 29, 1681, for the apprehension of Sarah Needam, who was presented for fornication, and to search in Salem, Marblehead, Lin or Wenham, signed by Hilliard Veren,* cleric, and addressed to Richard Pritcheike, constable.

* Autograph

Mr. Edmond Batter was appointed administrator of the estate of Richard Richards, deceased.*

Whereas there had been much litigation between Thomas Savage, sr., on one part and Samuella Apleton, sr., and Samuella Apleton, jr., on the other part, relating to houses and land formerly belonging to John Bex & Co., and from them recovered by said Savage, lying at Hamersmith at Linn, all parties agreed on July 2, 1681, as follows: that equal division be made of all lands and housing at Hamersmith or the Iron works at Linn; that the Apletons quit claim any other part of the estate recovered from Mr. Bex & Company by said Savage for himself and others; that such parcels of land as have been taken from the estate in Linn shall, if either party see cause, be sued for, if both parties join in the suit, and whatever be recovered to be equally divided; if one party refuse to prosecute, the other might do so in the name of both, bearing all charges, and having for his own what was recovered, etc.; that Samuella Apleton, jr., make the division of the estate, before the last of October, Savage to have his choice as to which part he would take, paying 10li. for the privilege, and Apleton to hold all the estate during this period, paying to Savage 4li. and three barrels of cider, which cider was to be left at the house of William Hosie, jr., where Henry Greene formerly lived. Wit: Dudley Bradstreete and Hilliard Veren. Acknowledged, 28 : 4 : 1681, in open court.

William Smith's fine was remitted.

Allowed to the servants of the house at Mr. King's, 10s.

Richard Rose and Nathaniell Ingersoll deposed that in Feb., 1675, they belonging to a vessel of which Richard Flinder was master, the latter delivered in good condition two barrels of pork to Mr. John Waight of Boston, on account of Mr. Strowbridg of New Haven. Sworn by Rose, Aug. 17, 1681, and by Ingersoll, Nov. 7, 1681, before Bartholmew Gedney,† assistant.

*Petition, dated Salem, 1 : 5 : 1681, of Edm. Batter,† to be appointed administrator of the estate of Robt. Starr, who died intestate, owing him about 15li., and also of the estate of Rich. Richards, who owed him about 20li.

† Autograph.

On Oct. 24, 1681, the Worshipful William Browne and Bartholmew Gedney, Esq., granted administration upon the estate of William Bowditch to Mr. Phillip Cromwell, who, with Capt. John Corwin, was bound, and was ordered to bring in an inventory to the next Salem court. Allowed 29 : 9 : 1681, in court.

Anthony Buxton, sr., was dismissed from common training, paying for the use of the company half a bushel of corn annually.*

COURT HELD AT IPSWICH, SEPT. 27, 1681.

Judges: Major. Genll. Denison, Esq., Capt. Nath. Saltonstall, Esq., Barthol. Gedney, Esq., and Major Appleton, Esq.

Grand jury: John Dane, sr., Sergt. Jacob Perkins, Thomas Jacob, Wm. Goodhue, Rich. Walker, Archelas Woodman, Samuell Plumer, Thomas Tenny, John Palmer, Isaac Estye, Robert Savery, Isaac Morrill, John Hoyte, Richard Barker and Daniell Lad.

Jury of trials: Mr. John Appleton, Edmond Bridges, Thomas Metcalfe, Caleb Boynton, Sergt. Caleb Moody, John Noyse, Joseph Boynton, John Pearson, John Ring, John How, John Bridges and John Page.

Mr. Anthony Chickley, attorney to Lott Gourding v. Nicholas Maning, Jacob Maning and Walter Palfery. Debt. Verdict for plaintiff.†

*Petition, dated Salem, June, 1681, of Anthony Buxton, aged about seventy-one years, "who hath attended his duty in trayneing either in y^e exersise of armes or attending y^e company to whom he belonged in y^e Field now forty yeares or more but now labouring under y^e Burden of his Infirmities through his age being 71 as aforesaid doth thinke that he may presume to adress himself to this honored court for his Freedom from his attendance on y^e duty of trayning being in noe wise able to doe it." His request was granted, he paying one-half bushel of corn yearly to the use of the company.

†Writ, for non-payment of a bond, dated Salem, June 30, 1681, signed by Hilliard Veren,‡ for the court and town of Salem, and served by Robert Lord,‡ marshal, by attachment of seven acres of land in Salem called the Broad field, lying near the house that formerly belonged to Major Hawthorne,

‡ Autograph.

Ezekiell Woodward v. Isaack Hull. Review of a case tried at Salem court in November last between said Hull and Walter Fairefield. Nonsuited.

Sarah and Ebenezer Hathorne, executrix and executor to John Hathorn, deceased v. Samuell Appleton, jr. For carrying away their grass. Withdrawn.

Philip Fowler v. Edward Neland. Trespass. Verdict for defendant.*

also the house and land and two shops next to the land of Wm. Browne, Esq., in Salem, all of which was shown as Nicholas Maning's estate.

*Writ: Phillip Fowler v. Edward Neland; trespass; for mowing his grass by carrying away the hay of two acres of his meadow at the west meadows; dated Sept. 22, 1681; signed by Daniel Denison,† for the court; and served by Robert Lord, jr.,‡ deputy marshal.

Edward Nerland's bill of cost, 6s. 6d.

Deed, dated Dec. 23, 1668, from Phillip (his mark) Fowler† of Ipswich, clothworker, in consideration of "the natural affection I doe beare unto my Grandchild Phillip Fowler as also in considderation of his being with me and doing my busines for me as formarly," conveyed to him "my now dwelling house and lands I stand now possest off after my decease (exsepting what by agreement with my wife upon marriage w^h is putt in writing and recorded) for him the sayd Phillip my Granchild Imediately after my decease;" after his wife's decease "the whole to be and remaine unto him the sayd Phillip my Granchild & his heires and assignes for euer pvided still that if by the pvidence of God I shall be forct for necessary subsistance to sell any pt therof w^h in such case I reserue liberty to doe pvided if he the sayd Phillip dye without Isue then to returne unto his Brother Joseph & if Joseph dye without Isue then to be & remaine his brother John pvided all wayes that if my Granchild Philip leave a wife behind him when he dye then she shall enioy it dureing her naturall life & then to be & returne as aboue exprest."§ Wit: Richard Kimball,† John Severance† and Robert Lord.† Acknowledged, Apr. 29, 1670, before Daniel Denison.†

Deed, dated Nov. 20, 1677, from Phillip Fowler¶ of Ipswich, husbandman, in consideration of six acres in the west meadows as by deed of assignment, to Edword Nerland of Ipswich, the six acres of meadow in the west meadows in Ipswich, which were granted to his grandfather Philipe Fowler, bounded

† Autograph. ‡ Seal. ¶ Autograph and seal.

§ On the reverse of this paper are notes for a sermon.

Neh. Jewet v. Richard Shatswell. Trespass. Verdict for plaintiff. Appealed to the next Court of Assistants. Richard Shatswell bound, with John Safford and Samuel Chapman as sureties.*

by land of John Kimball on the northwest, by Samuel Bishop and the common on the southwest, by the lands of said Nerland and James Fuller on the northeast and on the south by the lands of Philip Fowler. Wit: John Whipple, sr.,† and Mathew Whipple.† Acknowledged, 27 : 7 : 1681, in Ipswich court. Sworn to by the witnesses, Sept. 27, 1681, before Daniel Denison.†

John Whipple deposed that he was desired by Joseph Brown and Philip Fowler to go to the west meadows about January, 1677, to measure six acres of meadow, which he did. He then heard Fowler and Nerland discourse about two loads of grass, the latter saying that he could have only the grass on two acres, etc. Sworn in court.

John Loe, aged about eighteen years, and John Pinder, aged about twenty-two years, testified that some time the last summer in English harvest time they heard Edward Nearland own that he had mowed Fowler's meadow and carried away the hay from the two acres adjoining Shorborn Wilson's meadow on one side and said Nearland's meadow on the other. Further Nearland told Fowler that he had pulled up the stakes that he agreed Capt. Whipple had set down for bounds. Sworn in court.

Deed, dated Nov. 2, 1677, from Phillip Fowler† of Ipswich, for 14li., to Schoreborne Wilson of Ipswich, six acres in the west meadows, bounded on the northwest by said Fowler and Edward Nearland, on the east and southeast by land of Joseph Browne, and the common north and south. Wit: John Knoulton, sr.,† and Andrew Peeters.† Acknowledged, July 2, 1678, before Daniel Denison.† Recorded July 5, 1678 among the records of lands for Essex, book 4, page 180, by Robert Lord,† recorder.

Deed, dated July 2, 1678, from Edward (his mark) Neiland § of Ipswich to Phillip Fowler of Ipswich, six acres in the west meadows, which he bought of Joseph Browne, bounded by Fowler's meadow on the north, Joseph Browne's meadow on the east and the other parts on the common. Wit: Thomas Louell† and Edmond Neiland. Acknowledged, Sept. 27, 1681, before Robert Lord,† cleric.

Shoreborne Willson testified. Sworn in court.

*Writ: Nehemiah Jewet v. Richard Satchwell; trespass; for damming up the river called Egypt river, whereby the

† Autograph.

† Autograph and seal.

§ Seal.

water flowed over Jewet's land, destroying his fence; dated Sept. 22, 1681; signed by Robert Lord,* for the court and town of Ipswich; and served by Robert Lord,* marshal of Ipswich.

Nehemiah Jewet's bill of cost, 1li. 17s. 1d.

Richard Shatswell's bill of cost, 12s.

Bonus Norton testified that he was present when Jewet forewarned Goodman Satchwell for making a dam in the river. Sworn in court.

Samewell Graves, aged about fifty-four years, testified that at a town meeting in Ipswich he heard Corporall Gage, the lot layer, say that they reserved Egypt river for the town's use for the setting up of a mill or whatever use the town should see cause, so they did not lay out the lots to the river. Also that the town gave Shatswell a clear grant of Egypt river without any reservation to set up a mill to break hemp or for any other purpose, and this was many years before he had the grant about the fulling mill. Sworn in court.

Hanniell Boswell, sr., aged sixty-six years, and Joseph Carlton, aged eighteen years, deposed that Satchwell offered to pay Jewet for any damage but the latter refused to give him leave to dam the river, etc. Sworn in court.

Samuell Hunt, sr., testified concerning the town meeting a long time ago, etc. Sworn in court.

Jeremiah Jewet deposed that his brother Nehemiah Jewet's pasture fence had been floated by the dam. Joseph Carlton testified that Jewet's sheep made a continual way over the dam out of said Jewet's pasture. Sworn in court.

Mary West, wife of Twifford West, deposed that discoursing with Mr. Joseph Flint, sr., about the bounds of her husband's land, etc. Sworn in court.

"The Surveyor's haueing feld 4 Trees on Nehemiah Jewets Land for to mend the Bridg Nehemiah hath liberty for soe many of the Common. March 16, 1669-70." Copy from the Ipswich town book by Robert Lord,* cleric.

Caleb Kimbell, sr., testified that, being in the woods with John Edwards and others looking for oxen, they found them in Mr. Jewit's field of rye at Wilson's hill on the further side of Egypt river. Corporal Gage was there and Mr. Jewit said that he would impound them but Gage said it would do no good for the land was common all the way by the river side to a little swamp near Cliffard's lot, etc. Sworn in court.

"I John Pickard being Guardian of Nehemiah Jewet doth accept of the dwelling House in Rowley that was formerly m^r Bellinghams with all out Houses, & orchard and yards together with fve Acers of Ruff Marsh that lies in the Common feild, & Ten Acers of salt Marsh, & fve Acers of upland

* Autograph.

Joyneing thereunto, and four Cow gates, together wth four Acres of that Marsh that was bought of Mark Quilter which lies in Ipswich Common feild, & seauen Acres of meadow, that lies in the west meadows which was formerly Goodman Gages & Goodman Kingsburies and the rest of the upland Lying betweene Wilson Hill & Egypt River being the Remainder of that Land that Maxemillian Jewett had for the two young Children Joseph & Faith. The Ten Acres of salt Marsh aboue Mentioned, Lying west of m^r Nelsons fourteene Acres, being in the Marsh Farme. This I doe accept for the full share of Land that falls to the aboue Nehemiah Jewet." Copy from the second book of records of lands for Essex, Apr. 6, 1664, by Robert Lord,* recorder.

Thomas Lambert and Daniell Wicam appraised the damage to Jewet's land upon the northwest side of Egypt river above Richard Shatswell's fulling mill dam to be 20li., and 3li. for the fence. Sworn in court.

"Theophilus Wilson is possessed of an house Lott & other Lands & also Thirty & Two Acres of upland beyond Egypt Riuer butting upon the same Riuer on the south East: haueing Land of Jn^o Jacksons on the North East & Land of Ralph Farnums on the south west & to enjoy all the said Lands to him his Heirs & assignes for euer: entred the 16th day of the 11th moneth 1639." Copy of part of his grant made by Robert Lord,* recorder.

"13 feb 1676 at a Towne Meeting Granted to Richard Satchwell Liberty to set up a fulling mill upon Egypt River aboue the Road to Rowley provided he finish it within Three yeares or els to be voyd." Copy out of Ipswich town book made by Robert Lord,* cleric.

"Ordered p the Selectmen y^e 7. 2. 1681, whereas Richard Satchwell had the 13 feb. 1676 a grant for a fulling mill provided that he finished it wth in Three y^s after that. It being aboue four years since & the Towne not haueing had any profit by it as yet till that he get it renewed by the Towne againe wee in the Townes behalf order that he forth with lett goe all the water that flows the Townes Common by his stoppage: or upon his neglect we shall appoynt some other person within Ten dayes: And what damage shall acruie by his digging up the Common he shall (upon not filling of it up) pay doble damages." Copy from Ipswich town book made by Robert Lord,* cleric. Robt. Lord, sr., was appointed by the selectmen to read this order to said Satchwell, which was done.

Copy of will of Joseph Jewett of Rowley, dated Feb. 15, 1660, and proved Mar. 26, 1661 at Ipswich court: "Imprimis after my debts be payd, I desire the rest of my goods may be

* Autograph.

equally devided amongst my seaven children, as well [as] those two that I have by my last wife, as the five I had before Allwayes provided that my eldest sonn Jerimiah Jewett must have a dubble portion of all my estate I have both in New England, and Old, whether psonall or reall, further pvided that one hundred pound, I have allredy payed to my sonn, Philip Nelson, that shall be counted as part of what I doe now give him; Item I doe give unto my sonn Jerimiah Jewett the farme I bought of Joseph Mussye I meane all such Lands bought of him, or any other that are on the Norwest syde of the River called egypt River with all the meddow I bought of Nathaniell Stow, and Robert Lord, sein^r, provided he accept of it, att five hundred pounds, and wheras|| in the fourth line|| it is sayd I desire the rest of my goods to be equally devided amongst my seaven children, I meane Lands as well as goods, and if any of these my ||abouesayd|| seaven children, should depart this life, before the age of twenty one yeares, or day of mariage, then there portions shall bee equally devided amongst the rest, allwayes pvided my eldest sonn Jerimiah shall have a dubble portion, and as for my two youngest children and there portions, I leave to the disposing of my brother Maximilian Jewett and who he shall apoynt when he departeth this life, And I make executors of this my last will and Testament my Brother Maximilian Jewett, and my sonn Philip Nelson my sonn John Carlton and my sonn Jerimiah Jewett, allwayes free and willing that they shall be satticefied out of my estate for all such paines and labour, that they shall be att concerneing the aboue prem-isses." Wit: Ezeikiell Northend and Mark Prime. "Att the signeing and sealeing heerof I doe giue my executors full power to make deeds, and to confirme any Lands that I have sould to any." Copy from the Ipswich court files of Mar. 22, 1663, made by Robert Lord,* cleric.

Maxemilian (his mark) Jewett and Nehemiah Jewett* certified that "wheras In a devision of the Lands of Joseph Jewett made amongst the executors & overseers of Joseph Jewett his estate & his Children it is specified that maximilian Jewett being overseer of the two youngest children doth except of threscore pounds worth of land Lying in Ipswich bounds Joyning on wise hill. &, The remainder to fall to Nehemiah Jewet this being the third of Aprill 1665. maximillion & Nehemiah hath devided & the said Maxi: doth except of all the land more or less that lieth well without a stake upon wise hill end & a Tree a small red oak standing by Egypt River side. being five acers or there about within where the old fence stood & soe the said Nehemiah is to have

* Autograph.

Ruth White v. Alexander Maxey. Appeal.

Ensign John Gould, in behalf of his wife Sarah Gould v. Tho. Maull. Debt. Special verdict, if voluntary promise of defendant for a supposed courtesy done formerly be binding in law, they found for plaintiff; otherwise for defendant. The question of law resolved in the negative.*

Samuell Moulton v. Joseph Porter. Appeal from a judgment of the Worshipful Major Generall Denison, Esq., tried on July 18 last. Verdict for defendant, confirmation of the former judgment. Appealed to the next Court of Assistants.

y^e Remainder." Wit: Jeremiah Jewett,† who helped to divide it, and Sarah (her mark) Jewet. Sworn in court.

*Writ, dated 22 : 7 : 1681, signed by John Redington,† for the court and town of Topsfield, and served by John Williams,† deputy to Henry Skerrie, marshal of Salem, by attachment of a bed, table, carpet and trunk of defendant's.

Thomas Maule's bill of cost, 14s.

Jonathan Flint, aged about sixteen or seventeen years, testified that, being at his master Maule's shop about the time that the latter made search for his goods which were stolen out of his shop, he heard John Gould's wife say that as for the five pounds Maule promised her for being instrumental in finding his lost goods, she would not accept it. She desired Maule to be lenient with her brother Perkins and that would satisfy her. She said, "my hosbon is soe angry with me for what I have don in this case that I am a wery of my lif." Sworn, 26 : 7 : 1681, before Bartho. Gedney,† assistant.

Edward Flint testified to the same. Sworn, Sept. 6, 1681, before Bartho. Gedney,† assistant.

John Williams, aged about forty-five years, deposed that he heard Maule promise Gold's wife on Sept. 22 that he would give her five pounds. Sworn, Sept. 23, 1681, before William Browne,† assistant.

Willyem Smeth and John How deposed that they heard Mall promise the money, saying Sarah Gould should have it out of that bill which Thomas Perkins gave him, to be paid in money, and Sarah thanked him for his love and accepted it. Sworn in court.

Samuell Stace, aged about twenty-five years, and Jonathan Flint, aged about sixteen or seventeen years, deposed that they were at Maule's shop about candle light, etc. Sworn, Sept. 26, 1681, before Bartho. Gedney,† assistant.

† Autograph.

Samuell Moulton bound, with Walter Fairefield and Richard Hutton as sureties.*

* Joseph Porter's bill of cost, 17s. 10d.

Reasons of appeal from a judgment of the Honoured Major Generall Denison given in to court by Samuell Moulton,† constable, and received Sept. 22, 1681 by Daniel Denison.†

Copy of the papers in this action made by Daniel Denison:†

Joseph Porter v. Samll. Moulton, constable of Wenham; replevin; for illegally distraining four pewter platters; July 18, 1681, judgment was given for plaintiff; defendant appealed to the Ipswich court, with Walter Fairefeild and Richard Hutton as sureties.

Writ of replevin, dated June 27, 1681, signed by Hilliard Veren,† for the court and town of Salem, and served by Jonathan Walcot, constable of Salem.

Samuell Moulton testified that the four pewter dishes taken from him by Jonathan Walcot of Salem had been distrained by him at Joseph Porter's for the latter's country rates and were appraised at 13s. 3d. by John Batchelder and Samll. Kimball.

Copy of a record of the General Court, Oct. 15, 1679: "This court being sensible of the difference betweene Wenham & Beverly & the village relating to a divisional Line betweene them, as to a suitable accommodation in way of proportion betweene them, in way of proportion betweene each place, doe appoint and impower Capt. Jo. Wayte; Leiut. Willm. Johnson, Capt. Jonathan Poole & M^r Richard Hubbard, to joyne with 3 others that Salem shal choose who are hereby required to make choice of 3 able men of their owne towne to joyne with the aboue named, as a Comittee on the place, & are hereby impowred fully to settle the divisional line, & finally to conclude the matter in controversy Betweene Salem & Beverly and the village aforesd, And also to consider & finally to conclude the matter in controversy betweene Salem & Beverly relating to an addition of land out of Salem, And what the major part of the persons aboue named shal agree upon, shall be a final issue of these matters, who are to make returne of what they doe to the next Genll. Court. Capt. John Wayte to appoint time & place the charges to be borne by Salem Wenham & the village; in equal proportions." Copy made by Edward Rawson, secretary, and copy of that copy by Daniel Denison.†

"At a Gen^l Court of election held at Boston the 10th of May 1643 It is ordered that the Agreement betweene Ipswich & Salem be recorded the 27 of the first month 1643."

† Autograph.

"At a meeting of us whose names are underwritten, chosen by the townes of Salem & Ipswich & hauing full power of either towne to agree & determine the same as followeth. Imprimus wee conceiue that the meeting houses of the two townes North, Northeast halfe a point easterly & south south-west halfe a point westerly; whether it be exactly so or noe, wee are fully agreed that the line betwixt the two townes shal run as followeth from the bound tree neere John Fairefields house west northwest halfe a point Northerly & east southeast halfe a point southerly as the trees are marked both wayes from the said bound tree William Hubbard, John Tuttle, Joseph Young, Roger Conant, Jeffrey Massey, John Balch, Thomas Howlett, John Gage." Attested by Edward Rawson,* secretary, and copy made by Daniel Denison.*

At a general town meeting Mar. 22, 1671-2, "Voted that all farmers that now or hereafter shall be willing to joyne together for providing a minister among themselves whose habitations are about Ipswich high way from the horse-bridg to the wooden-bridg at the hether end of m^r Endecots plaine and from thence upon a west line shall have liberty to haue a minister by themselues and when they shall haue procured one and pay him maintenance that then they shall be discharged from there part of Salem ministers maintenance and this to continue so long as the minister abides with them and is maintained by them provided alwayes that they shall beare all other Charges whatsoever amongst themselues both with respect to the meeting house and ministers house or otherwayes whatsoever in carrying on this worke and allso leave there proportion of all other publicke charges in the Towne." Copy made by Jo. Hathorne,* recorder to the selectmen.

At a meeting of the selectmen, Nov. 26, 1649, "It is Agreed that the two hundred acres of upland w^{ch} was taken from m^r Downings farme, by the great meadow towards wenham shall be granted againe to him in consideration of his paines, for transcribing the towne book of records to be kept for posterity, so the farme to be fife hundred acres according to the former grant." Copy from the Salem records made by John Hathorne, recorder, and copy of that copy made July 13, 1681, by Daniel Denison.*

"The 27 of the 10 m^o 1638 Whereas there were former grants of land to M^r Emanuel Downing of fife hundred acres, nere unto M^r Bishops farme; & one hundred acres thereof, taken in exchange of one hundred acres to be added to the farme which he purchased of m^r Cole, the s^d M^r Downing finding the s^d farme unfitt for husbandry in regard of want of plow land, wee haue upon his request granted unto him one

* Autograph.

hundred acres more to be adjoynd unto the s^d farme; whereby he may be encouraged to plowing for w^{ch} hundred acres, he doth hereby resigne up unto the towne one hundred acres more of his first grant of five hundred acres, so that there is now remaining unto M^r Downing but three hundred acres thereof." Copy from the Salem records made by John Hathorne, recorder to the selectmen, and copy of that copy made by Daniel Denison.*

At a general town meeting 2 : 9 : 1678, "chosen to be of the Committee appointed by the Gen^l Court to end the difference betweene Wenham, Beverly & the village & the matters in controversy between Salem & Beverly Capt. John Corwine M^r Samuel Gardiner, sr., Lt. John Putnam." Copy made from the Salem records by John Hathorne, recorder to the selectmen, and copy of that copy made Oct. 19, 1680 by Daniel Denison.*

"Wee whose names are underwritten being impowred by the selectmen of Salem to settle bounds between the towne of Salem & Wenham haue made this tender unto Wenham men in order to agreement, to run a straight line from the place where Beverly and Wenham meete, at the westerly corner of their bounds, & joyne to Salem bounds, and so to run to the eastward of Joseph Porters house, twenty rod & so to Topsfeild line. Salem 13 : 10 : 80 Nathaniel Putnam, John Putnam, sen^r, Joseph Hutchinson, Daniel Andrews." Copy made by Daniel Denison.*

"In answer to the aboues^d proposition, the selectmen of wenham hauing mett with the aboue mentioned Gentlemⁿ being a Committee appointed by the selectmen of Salem, as appeareth by their order to us Dated 3 Decemb: 1680 to settle bounds betweene Salem & the village; wee accept not of the aboues^d proposition, But now are ready, & doe hereby proffer the aboues^d Gentlemⁿ to goe with them and make bound marks upon the west line from the pine stump according to the Committees returne & as Salem & wee did run it together for a tryal, 13 : 10 : 80. Thomas Fiske, Walter Fairefeild, Charls Gott, Willm. Fiske, John Batcheler, selectmen." Copy made by Daniel Denison.*

At a meeting of the selectmen 27 June 1678 In answer to the petition of the Inhabitants of Wenham to giue our minds Concerning a division betweene Beverly & Wenham & to grant them their owne proprieties, w^{ch} lye without their line to the first we desire that considering Wenham is the antientest towne, the line betweene Wenham & Beverly may be settled in favor to Wenham, Beverly hauing a far larger accommodation, in proportion then Wenham, And as for granting them the land they motion for without their

* Autograph.

line, wee find that the towne of Salem has already granted away so much land that they cannot spare any more without much streightning themselues & the land they desire is already granted to be within that line w^{ch} Salem allowed to Salem village for the maintenance of a minister amongst them." Copy from the Salem records made by John Hathorne, recorder to the selectmen, and copy of that copy made Oct. 16, 1680 by Daniel Denison.*

Joseph Porter's bill of cost, 2li. 4s. 4d.

Samuell Molten's bill of cost, 2li. 2s. 6d.

Joseph Porter testified that seven or eight years ago he heard Samuell Molton say that the bounds by the causeway were the bounds between Salem and Wenham. Copy made by Daniel Denison.*

Nathaniel Putnam and Joseph Hutchinson testified that they, being chosen by the selectmen of Salem to settle the six mile line between Salem and Topsfeild, made return that Joseph Porter's house and his improvements were within the lines of Salem and Topsfield. Sworn, July 18, 1681, before Daniel Denison.*

Richard Hutton of Wenham, aged fifty-eight years, deposed that about fifteen or sixteen years since Thomas Fiske and himself were appointed by Wenham to run the line between Salem and Wenham. They met by appointment with old Goodman Herrick and Samuel Corning, sr., in behalf of Salem. "We began our worke at a swamp & marked a tree by Wenham causeway on blind hole side, & from thence wee ran our line to a pine stumpe, from the pine stump to a white oake at Lords hill from thence to a little shrubbed oak by the pond side where wee layd some stones this was our first dayes worke the next time wee mett about the perambulation which was quickly after, wee renewed the bounds on the east side of the pond w^{ch} was the brooke, & wee began at that end of the brooke next the pond where the mill formerly stood, & wee run out the line as the brooke runneth neere to Longham Bridg, confirming the s^d brooke to be the bounds so far, but could not goe farther, because wee could not gett ouer the water but it was intended by all of us as I understood by the discourse wee had that wee should have gone the perambulation to turnep swamp." Sworn, 23 : 3 : 1679, before Willm. Hathorne, assistant. Copy made by Edward Rawson, secretary, and copy of that copy made by Daniel Denison.*

Charles Gott, aged about forty years, and Walter Fairfield, aged about forty-seven years, deposed that "when the Committee were mett together the last winter to settle the division lines betweene Wenham & Beverly & betweene Wenham & the place called Salem Village, wee were present with them

* Autograph.

& when the matter beweeene Wenham & the s^d Village began to be discoursed betweene Wenham men & the Committee the Gentlemen of Salem who were of the Committee asked Wenham men what they begged of Salem || who replied || that they had shewed in the petition w^{ch} was that they might take in Daniel Andrewes & John Leech & Joseph Porter & so to Topsfeild line, & after much discourse about that, the Committee asked Wenham men what a west line from the pine stump would doe & Wenham men answered they did thinke that would doe them but little good, & Capt. Fiske replied that he did thinke it would not take in the s^d Joseph Porter, but Leiut. John Putnam a dweller in the village & one of Salem Gentlemen for the Committee made answer to the Committee & told them that a west line from the pine stump would take in the s^d Porters to Wenham & goe many poles to the Southward of his house and also that that line would take in Brother Thomas his meadow & his owne meadow or part of it, and wee hauing tryed the line since with a compass wee haue found that the s^d Putnam was not much mistaken." Sworn, June 3, 1679, before Edward Tinge, assistant. Copy made by Edward Rawson, secretary, from the General Court files, and copy of that copy made by Daniel Denison.*

Richard (his mark) Hutton certified that whereas he gave in testimony before the committee at Goodman Woodward's concerning perambulating the line between Salem and Wenham, saying that they began their perambulation on Topsfeild side of the meadow, he must explain his testimony. He never knew there were any bounds any further than the pine stump. Wit: Thomas Patch and William Fiske. Sworn, May 26, 1679, before Daniel Denison.*

Joseph Porter and Daniel Andrewes testified that they heard several of the committee affirm that they would not have signed the return had not several Wenham men said that the line would go twenty poles to the north of Joseph Porter's house. A short time after the committee had determined the west line, they heard Capt. Fiske say that he had wagered a quart of wine that a west line would run to the north of Porter's house from the pine stump. Sworn, May 25, 1680, before Peter Bulkley, assistant. Copy from the General Court files made by Edward Rawson, and copy of that copy made by Daniel Denison.*

William Johnson and John Wayte, a committee of the General Court, appointed Oct. 2, 1678, to settle the bounds between Salem Village and Wenham, deposed that their agreement was not based upon Wenham men's information any more than the information of Leiut. John Putnam, one of the Villagers, and other gentlemen of Salem. Sworn,

* Autograph.

Isaack Hull, jr. v. Ezekiel Woodward. Trespass. By illegally improving plaintiff's land. Verdict for plaintiff. Defendant appealed, but later withdrew the appeal.*

1 : 9 : 1679, before Humphrey Davie, assistant, and copy made by Daniel Denison.†

James Freind, aged about forty years, and Walter Fairfeild, aged about forty-nine years, deposed that the line was run from the pine stump by the swamp that runs out of Lawrence Leech's meadow. Also that Porter's house was taken into Wenham about fourscore rods, a compass being used. Sworn, July 18, 1681, before Daniel Denison, and copy made by Daniel Denison.†

John Poland, now living in Ipswich, aged about forty-six years when he lived in Wenham, about fifteen or sixteen years ago, testified that he, Thomas Fiske and some others for Wenham ran the line, etc. Sworn, 26 : 3 : 1679, before Wm. Hathorne, assistant. Copy from the General Court files made by Edward Rawson, secretary, and copy of that copy made by Daniel Denison.†

*Writ: Isaac Hull, jr. v. Ezekiel Woodward; trespass; for illegally improving his land in Wenham the past summer, before the terms were completed or lease given; dated 21 : 7 : 1681; signed by Thos. Fiske,† for the court and town of Wenham; and served by Thomas Fiske,† constable of Wenham, by attachment of the barn of defendant.

Copy of the Salem court records and files, 30 : 9 : 1680, in the action brought by Isaac Hull, husband of Sara, relict of John Solart, jr., against Walter Fairefeild, executor of the will of said Solart, made by Hilliard Veren,† cler.

Copy of writ of execution, dated 12 : 7 : 1681, signed by Hilliard Veren,† cleric, and served by Henry Skerry,† marshal, who delivered possession of the land by turf and twig to Isaac Hull. Isaac Hull's bills of cost, 1li. 4s. 6d., and 2li. 14s. 9d.

Charles Gott and Jno. Rayment testified that they judged the land which Isaac Hull, jr., recovered of Walter Fairfeild, with the use of the trees upon it, worth 3li. the past year, and they would have given it if they had the same improvement that Ezekiel Woodward had. Sworn in court.

Walter Fayerfield,† on Nov. 30, 1680, assigned his interest as executor in the estate of John Solart, jr., to Isaac Hull or his attorneys, Isaac Hull, sr., and Nehemiah Jewett. Wit: Steven Mighill† and Samll. Morgan.†

Walter Fairefeild owned in court at Salem, 30 : 9 : 1680, that he let the land of John Solart, jr., to Ezekiel Wood-

† Autograph.

† Autograph and seal.

ward, from day to day. Copy made by Hilliard Veren,* cleric.

Agreement, dated 31 : 1 : 1679, between Ezekell (his mark) Woodward and Walter Fayerfield,* executor of the estate of John Solart, deceased; they chose Captain Thomas Fisk, Charles Gott and John Batchelder, all of Wenham, to appraise and lay out the land belonging to the homestead, where Ezekiel now dwells, according to the price in Solart's inventory, at 75li., which is the remainder of Solart's portion given him by the Ipswich court in September, 1672; Ezekiel gave bond to deliver it to Fairefeild and the latter was bound to give Woodward a receipt of the 75li.; the appraisers were to begin at the end next to the burying hill and run from the highway to Mr. John Fisk's land the whole breadth of the homestead until the complement be made up, and this to be done on Apr. 8, next. Wit: Joseph Fowler* and John Dennis.* Walter Fayerfield,* on 28 : 1 : 1681, released Ezekiell Woodward from this bond.

Walter Fayerfield, aged about forty-nine years, testified that when Ezekiell Woodward married Elizabeth, relict of John Solart, sr., deponent being executor of the estate of John Solart, jr., deceased, and after Elizabeth had deceased, he agreed with Ezekiel that the land should be set off, but afterward Ezekiel refused to deliver the portion. Woodward alleged that it was unjust that one child should have all the best of the estate. Before deponent sued to get possession Isaac Hull sued him for not giving him possession, but since then he had resigned his executorship. Sworn in court.

Isaac Hull, sr., and Jno. Rayment testified that Woodward asked to buy the land or rent it, but deponent told him his son might sell it when Nehemiah Jewett came, which would be shortly. Jno. Rayment testified that Woodward told him that he had rye, pease and oats from the land the past summer. George Hull testified. Sworn in court.

Charles Gott, aged forty-two years, deposed that he was with Fairefield when he demanded of Woodward John Soolart's portion and Fairefield told Woodward that there was an agreement between Soolart and his mother that he should have his portion on that side the lane where Spaulding's land was "in cass he stayd for it till her death." Doctor Swinerton and John Batchelder were present also when the agreement was signed. Jno. Batchelder testified to the same. Sworn in court.

Richard Hutten, aged about sixty years, and Walter Fayerfield, aged about forty-nine years, deposed that after the county court at Ipswich had settled the estate of John Solart, sr., and before John Solart, jr., went to sea, the latter, now

* Autograph.

Stephen Crose v. Joseph Emerson. For not paying 4s. Verdict for defendant.*

Stephen Crose v. William Hoar. For refusing to give account of ninety odd bushels of wheat. Verdict for defendant.†

deceased, desired deponents to go to the dwelling house in which Woodward was then living, which house was formerly John Solart, sr.'s, to see the condition of the housing. This John Solart, jr., did that he might not be a loser when he received his portion, which he was to have from the homestead, the house being a part of the homestead. Sworn in court.

*Writ: Stephen Cross, master of the sloop Adventure v. Joseph Emerson of Boston, feltmaker; for not paying 45s. in money due for his passage twice from Weathersfield to Boston, and for freight for goods; dated Boston, Sept. 14, 1681; signed by Nat. Barnes,† for the court and town of Boston; and served by Joseph Webb,† marshal of Suffolk. Bond of Joseph Emerson.†

Jno. Lee, aged thirty-six years, testified that in the year 1678 he went with his partner Mr. Steven Cross in their sloop Adventure to Conetycote and Mr. Joseph Emerson freighted nearly one-half the sloop to Boston with wheat, pork and other goods and also he himself came to Boston in the vessel. Emerson also put in a considerable quantity of provisions for the victualling of the vessel and when he came to Boston there were some words between deponent and Cross concerning Emerson, the latter declaring that he would take nothing for Emerson's passage. On Sept. 17, deponent heard Cross say that he never intended to charge for passage, but Emerson was troubling him about some wheat and that now he should sue him and plague him. He also asked witness to testify. Sworn, Sept. 19, 1681, before S. Bradstreet,† Governor.

Thomas Fossey testified that in 1678 he came from Wethersfield with Steven Cross when Mr. Joseph Emerson was also a passenger to Boston. Sworn in court.

Robert Cross and Jno. Pearce testified that they were also passengers in August, 1680, with Stephen Cross from Wethersfield to Boston. Emerson was also a passenger. Cross brought a great parcel of deer skins, with some furs, to the amount of a tun in bulk and deponents saw Emerson receive them in Boston. Sworn in court.

†Writ: Stephen Cross v. William Hoar of Boston, baker; for refusing to pay 25li. for ninety odd bushels of wheat which he received from plaintiff's sloop, in August, 1680; dated

† Autograph.

Edward Richards v. Robert Burges and Moses Chadwell. Replevin. Nonsuited.

Edward Nelund v. John Kemball. Forfeiture of a bond of 50li. Verdict for defendant.*

Boston, Sept. 14, 1681; signed by Nat. Barnes,† for the court and town of Boston; and served by Joseph Webb,† marshal of Suffolk. Bond of Wm. Hoar.†

Joseph Emerson, aged about twenty-eight years, deposed that in September, 1680, he had about ninety-two bushels of wheat brought from Connecticut by Stephen Cross to be delivered to Wm. Hoar of Boston, baker. He also heard Mr. Jon. Pinchon, jr., of Boston order Cross to deliver some wheat of his to Hoar. They were both on the vessel at the time. Deponent then went to Swanzey and upon his return to Boston found that Hoar had received but eighty-three bushels of said Cross. Sworn in court.

Letter addressed, "This for his Louing frind m^r william hoore In boston dd:"

"October the 9 Ipswich 1680

"M^r hore and M^r Emarson I much wonder at your straining leters that you so moch trouble me with Concerning the whet when you haue had all your dew and peck 92 out of a hondred and 4 is as much as euer I deliuered to aney one yet le—you haue in your hands of m^r pinchins one boshel and 3 pecks and for the Rest leue it to me not more at present but my kind loue to you both and in heast I rest your wek friend

"Stephen Cross."†

Jno. Pearce and Robart Cross testified. Sworn in court.

John Pinchon, jr., aged about thirty-two years, testified that he had 8 bushels and 3 pecks of wheat consigned to him from Connecticut in Stephen Crosses sloop of Ipswich, of which said Cross was master, etc. Some time after he went down to the town dock about his business and Cross asked for a receipt for the wheat which he gave him, supposing he had delivered it to Hoar, etc. Sworn, Sept. 24, 1681, before S. Bradstreet,† Governor.

Henerey Wolf, aged thirty-eight years, testified. Sworn, Sept. 20, 1681, before Daniel Denison.†

*John Kimball† and Edword (his mark) Nerland, on June 30, 1681, appointed John Whipple and Simon Stacey arbitrators to settle the partition line between their lands, with liberty to choose a third man, and gave bond to stand by their decision. Wit: John Warner† and Nicholas Wallis.† Owned in court.

Award of the arbitrators, John Whipple† and Nathaniell

† Autograph.

John Elitrop, Joseph Pickworth and Abigail, his wife v. Abraham Joanes, Thomas Joanes and Ephraim Joanes. For withholding 27li.

Richard Dole and Henry Jaquis v. Richard Kent. Trespass. Verdict for defendant. Appealed to the next Court of Assistants. Henry Jaquis bound, with Caleb Moody and Robert Ring as sureties.*

Wells,† dated July 12, 1681, that the bounds should be a straight line from the willow bush at the southeast end of the land to a stake by a knot in a log of the fence twelve paces to the southwest of the corner of the log fence.

Daniell Warnar, John Warner and Simon Stace deposed that Capt. Whipple, etc. Sworn in court.

Simon Stace, aged forty-four years, deposed. Sworn in court.

Georg Hadly and John Whipple deposed that the award was delivered in writing to John Kimball and read to him on July 13, 1681, etc. Sworn in court.

* Writ: Mr. Richard Dole and Henry Jaques v. Mr. Richard Kent; trespass; for mowing their meadow in Plumb Island; dated Sept. 20, 1681; signed by Anthony Somerby,† cleric of Newbury; and served by Joseph Pike,† constable of Newbury, by attachment of the dwelling house and land of defendant.

Plaintiff's bill of cost, 5li. 11s.

Richard Kent's bill of cost, 3li. 1s.

Copy from the town book of Rowley made by Thomas Lambert: "March the : : 1680-81. The Selectmen of Rowley apointed and ordered ezekiell Northend, John Pickard, sen. and Richard Hollmes To Run The line between Newbury and Rowley on Plum Iland with Newbury men that was to meett them there."

Copy from the ministry book of rates made by Willie Tenny,† keeper of the book: "In the year 1668 John Pickerd, Ezeikiell Northend, Mr. Richard Dowell were Rated to y^e ministry Rate at Rowley as Followeth John Pickerd, 1 - 7 - 0, Ezeikiell Northend, 1 - 12 - 0, Mr. Richard Dowell for Plum Iland, 1 - 0 - 0."

Copy of deed, dated June 27, 1664, from Philip Nelson, John Carleton and Jeremiah Jewett to Richard Dole, Henry Jaquis and John Bond, made by Robert Lord,† recorder.†

Letter addressed, "for his uerry Louinge freind Richard Dole at Newbury these deliuer:"

"my Loue remembered to you, the last time that I spoke

† Autograph.

† See *ante*, vol. 6, p. 11.

with you you desired me to send you a copy of those mens shares of plum lland that father Jewett bought of them which accordingly I haue done, and haue taken them out of fathers Booke, who did set them downe in his booke accordinge as he bought them and is in manner as followeth, Bought of the plum lland first Jeremiah Elsworths share, 1-0-0; Sammuell Stickny, 1-0-0; Charles Browne, 1-0-0; Abell Langly, 1-0-0; Elder Ranor, 1-0-0; Peter Couper, 1-0-0; Marke Prime, 1-0-0; Mr. Philips, 1-0-0; Sammuell Brocklebanke, 1-0-0; Richard Wicom, 1-0-0; Leonard Herriman, 1-0-0; Robert Hazeltine, 1-0-0; John Smiths part, 1-0-0; John Hazeltine, 1-0-0; James Barkers part, 16s. 8d.; Ezekiell Northen, 1-0-0; George Killborne, 1-0-0; John Burbanke senior, 1-0-0; Richard Swan, 1-0-0; Henry Riley, 1-0-0; Edward Hazon, 1-0-0; Andrew Hidden, 1-0-0; Jonathan Plats, 1-0-0; John Pickard, 1-0-0; Constanc Crosbey, 1-0-0; John Scails, 1-0-0; Brother Pallmor, 1-0-0; John Johnson, 1-0-0; Richard Clarke, 1-0-0; William Bointon, 1-0-0; Sammuell Plats, 1-0-0; William Scails, 1-0-0; John Brocklebanke, 1-0-0; Benjamin Scot, 1-0-0; John Dresser senior, 1-0-0; Thomas Wood, 1-0-0; John Spofford, 1-0-0; William Asee, 1-0-0; Brother Maxe, 1-0-0; William Jackson, 1-0-0; Nicolas Jackson, 1-0-0; Richard Longhorne, 1-0-0; John Remington, 1-0-0; Thomas Leadr, 1-0-0; James Baly, 1-0-0; John Pearson, 1-0-0; John Pallmor, 1-0-0; my owne share, 1-0-0; Thomas Tenny, 1-0-0; William Tenny, 1-0-0; Sammuell Mighill, 1-0-0; John Harris, 1-0-0; Lieutenant Remington, 1-0-0; Thomas Dickinson, 1-0-0; George Hadley, 0-0-0; Thomas Burkbee, 1-0-0; John Grant, 1-0-0; John Tod, 1-0-0; Thomas Abbot, 1-0-0; John Bointon, 1-0-0; Uxor Mighill, 1-0-0; sonn Nellson, 1-0-0; Richard Lighton, 1-0-0; Edward Sawyer, 1-0-0; William Stickney, 1-0-0; William Law, 1-0-0; John Lambert, 1-0-0; 67 shares. But Goodman Hadley whose share is rekened amongst them soold it to Goodman Plommer and gaue a deede of it so that his share is not to be reckoned the 16 of April 1665 This is a true copy out of the Booke by me Philip Nellson.”*

Award, dated May 1, 1677, of the arbitrators, Thomas Howlet,* Danniell Pears, sr.,* and John Pickard* of Rowley: “that y^e s^d Rich^d Kent shall from henceforth quietly Injoy all those Branches or peeses of salt marsh upon plumb Island Next Rowly Loyen from William Ilsleys Lower Steak one ye upland and A straight Loyen to y^e stake A pon y^e poient of Upland Neer ye middell of ye s^d Coue & from y^e stake

* Autograph.

Eastward one ye same Loyen to ye Upland: And our determination is y^t y^s sd Kent in ye s^d Branches shall haue what is salt marsh & ye s^d kent shall haue *haue* Liberty for Carting & Going to work About his hay through ye Upland Likewaies wee doe Award and Determuen y^t ye sd Rich Kent shall pay or Cause to bee payd unto Rich^d Dole & Henry Jaquish fourteen Bushels of good marchantable Barley or barley malt by ye Last of Octobur next Ensewing."

Copy of Newbury town records made by Anthony Somerby,* cleric:

"At a General meeting of the Towne May 5th 1656 M^r Woodman Goodman Peirce & leift Pike were chosen to meet Rowly & Ipswich men for the diuiding of Plumb Iland, and they are to desire leift Rob^t Pike of Salsbury to meet them the last third day in May but if it bee wett, then to bee there the next dry day.

"May 5th 56. It was further ordered that no Inhabitant of this Towne shall cut grasse in Plumb Iland, untill the lotts be diuided upon such peenalty as the freemen shall inflict, which shall bee done betweene this and the fiae & twentyeth of June. And there was Chosen for the diuision John Emery sen^r Archelaus Woodman Richard Knight William Titcomb Richard Dole & John Bishop. The townsmen chose Hugh March in John Bishops roome.

"September 25, 1661. The first lott figure 1. for Thomas Colemans freehold Laid out to Solomon Keyes foure acres of Marsh land in Plumb Iland bee it more or lesse bounded by Rowly Marsh bounds on the south the upland on the east the Riuer on the west, and Steuen Swetts land on the north.

"Septemb: 25, 1661. Laid out for Richard Kent all that parcell or Coue of Marsh in Plumb Iland Joyneing unto Rowley bounds on the South and to a necke of upland on the west & north and likewise to the upland on the east.

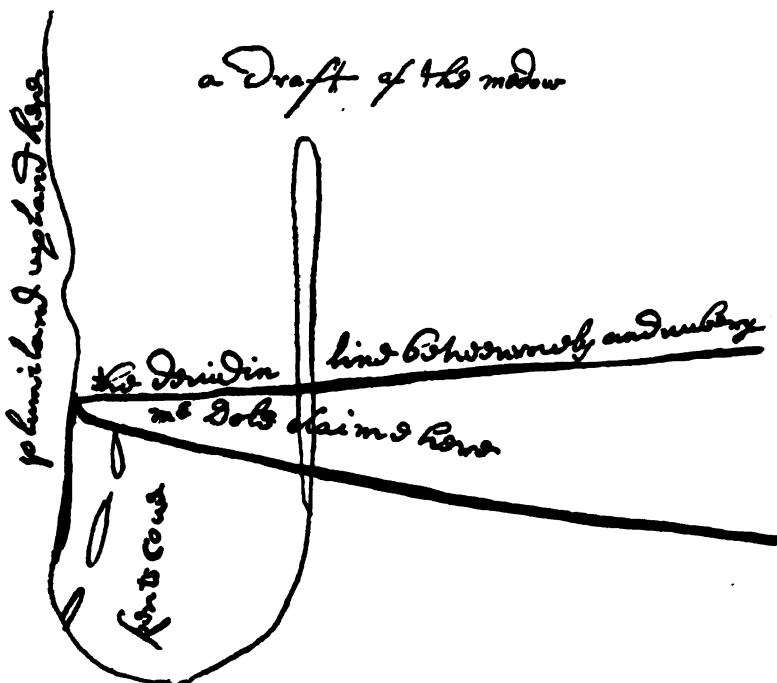
"March 7th 1680-81. The selectmen of Newbury ordered Capt. Daniell Peirce Serg^t Tristram Coffin & James Ordway to Run the Lyne between Rowly and Newbury in Plumb Iland with Rowly men that was to meet them there.

"A Record taken out of the Towne booke of Newbury.

"Wheras wee the Comittee for Plumb Iland, haueing made an Agreement with Richard Dole and Henry Jaques, for the upland in Plumb Iland, and finding the Record doe not fully express the bounds, and that the south bounds is not exprest in the Record, next Richard Kents Coue, Therefore wee doe agree and declare the bounds from a stake standing by the upland, joyneing to Rowly bounds on the South, thence Running northerly to Richard Kent's Coue on the west to a marked tree & so runing Northerly to another

* Autograph.

marked tree, and from that tree on a straight lyne unto a stake by an old stump of a tree, at the north end of the Coue, about six or seaven Rod to a marked tree, marked R. H. standing northwesterly to the hed of the lotts from thence runing to the southeast Corner of the tenth lott. therefore wee doe all agree by theise p'sents that this shalbe added to the Record, this upland beeing the first lott, laid out before any of the freehold lotts or Richard Kents Coue." Richard Knight, Archelaus Woodman, John Emery, sr., Hugh March, William Titcomb, John Knight.

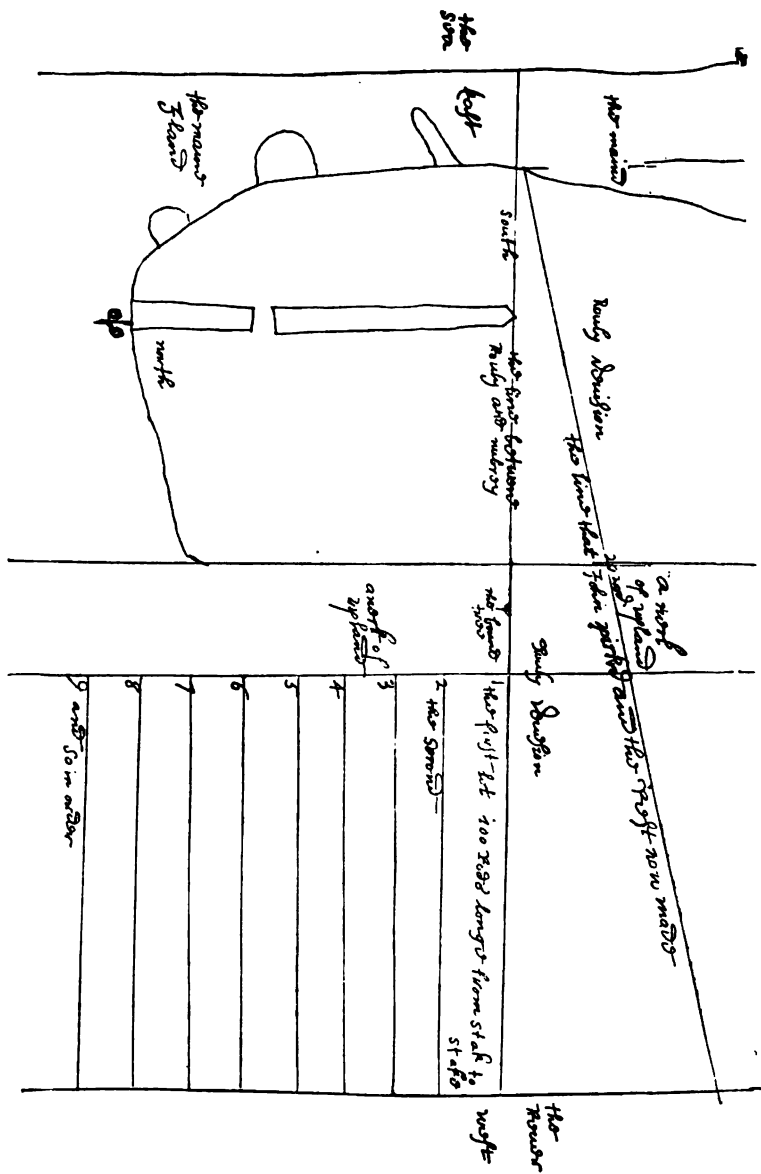


"At a Legal Towne meeting held the 28 day of The 10 mth 1657 it was agreed and voted by the Town that all the Inhabitants of Rowley should haue an equall share of owr partt of Plum Iland." Copy made by Thomas Lambertt,* keeper of the town book.

John Pecor and Ezekiell Northen certified that they ran the line at Plum Island by order of the selectmen of Nubery and Rowley as it was first laid out.

Daniell Peirc* certified that he was appointed with Sergeant

* Autograph.



Coffin and James Ordway, in 1681, to meet the Rowley men, but Coffin did not go. Sworn in court.

Thomas Hale, aged about forty-eight years, deposed that about 1656 there was a cove of marsh in Plum Island granted to his father, Thomas Hale, sr., by the town of Newbury, which is now in possession of Richard Kent. Deponent, then living with his father, mowed this marsh several years when the bounds, which were marked trees, between the towns were new and plain to be seen. "ther is a strip of upland or sand lying nere the middle or something easterly of the middle of the Cove, which the bounds or line betwene the townes run Just ouer the point or so nere the southwardly end of the point: that it left no marsh betwene the line and That point of sand or upland where a bound stake did stand about two years senc." Benjamin Rolfe testified to the same. Sworn in court.

Agreement, dated Aug. 9, 1666, between Richd. Dole and Henry Jaquess of Newberry on one part and John Paine, merchant, of Boston on the other part, that the former upon demand, after consideration received, would make conveyance of the marsh on Plum Island, bounded by the marsh of Susanna Rogers on the north, the upland of Richd. Dole and Henry Jaquis on the east, excepting four rods at the head of the meadow, by ——'s land upon the south and the river upon the west, with the privilege of gunning or fowling upon any of said land.

John Webster, sr., aged about forty-five years, deposed that some years ago one morning he met Mr. Kent and said to him "Shall not you be at Plumiland today?" Kent said, "no, what shall I do their." Deponent said, "I here that the comity Do go to Plumiland today to Run the line between your meadow & Rowly bounds." Kent replied, "I knew not of it; but I think thay canot Do me any Hurt." Deponent went to the Island and the committee "Ran the line a litell below an Iland (in the marsh) of upland: on of the comety said if it Do not Run to the Iland then it is all but on coue: but if the line Rune to the Iland then tis two cous: and Farmer Kents Grant is a coue thay Ran the line again a second time; & then it com to the aforesaid Iland; thear thay set in a stake; & marked seuerall trees & writ their Determinations. I further testify that in that coue coms Down a Poynt of upland; and two Ilands of upland below that Point; and the marsh lieth in two plass throw; between the sayd Poynt; and the Iland; and so between the two Ilands." Sworn, Apr. 10, 1678, before Jo. Woodbridge,* commissioner.

Benjamin Rolfe, aged about forty-two years, deposed that upon a difference between Susanna Rodgers and Richard

* Autograph.

Dole, sr., about this land in Rowley division at Plum Island, they chose John Pickard, John Knight and Tristram Coffin as arbitrators, etc. Sworn in court.

Tristram Coffin, aged forty-nine years, testified that he went to Plum Island in the interest of the widow Rogers in 1665, etc. Sworn in court.

Bill of sale, dated Dec. 16, 1662, given by John Bond,* with the consent of Hester (her mark) Bond,† his wife, both of Plum Island, to Richard Dole of Newberie for his now dwelling house, with all the boards that belonged to the roof and the upper chamber and shelves, and all meadow and upland, which he bought of Robt. Rogers and William Trotter. Wit: Robt. Rogers‡ and Samuel Plumer.‡

Richard Knight, aged seventy-eight years, and John Emery, sr., aged eighty-two years, deposed that in 1656 after the division between Rowley and Newbury was made, a committee was appointed, of which they were two, to lay out the land. They laid out the land which joined the line, which line was bounded by a stake at the river westerly and ran upon a straight line easterly to an old tree or stump upon a neck of upland; thence to a stump upon the southerly end of a point of upland in the great cove and so to the sea. Deponents were also of the committee at the second division in 1662. Sworn, Mar. 29, 1680, before Jo. Woodbridge,‡ commissioner.

Richard Knight,‡ lot layer, deposed that he and John Knight met Ensign Howlet, Daniell Perc, sr., and John Pickard at Plum Island and their determination concerning the line was "from William Elsllys stake of his medow Runing by the two upland bounds by Richard Kents Coue and on a strait line to the sea." He further testified that Elsly's lot was the first laid out in Newbury meadow and this was on June 10, 1656. Likewise it was the first laid out in the second division on June 10, 1662. John Emery, sr., testified to the same. Sworn in court.

Richard Dole, jr., aged about twenty-nine years, and William Dole, aged about twenty-one years, deposed that their father, Richard Dole, etc. Sworn in court.

Daniell Wicom deposed.

Richard Dole, jr., and William Dole deposed that Mr. Richard Kent told their father that he ordered his men to mow in the cove, etc.

Anthony Somerby, aged seventy-two years, deposed concerning the town's grant to Mr. Kent. John Webster, aged forty-eight years, testified to the same. Sworn in court.

James Ordway, aged sixty-four years, and John Webster, aged forty-eight years, deposed that they went to Plumb

* Autograph and seal.

† Seal.

‡ Autograph.

John Barry v. Samuell Chapman. For not paying him a legacy. Verdict for plaintiff. Appealed to the next Court of Assistants. Defendant bound, with John Saffourd and Richard Shatswell as sureties.*

John Harrington v. Andrew Tucker. For refusing to give him an account of a fishing voyage. Verdict for defendant.†

Iland on Sept. 26, and found the bound stakes gone and the holes filled up. Sworn in court.

Joseph Ilsley, aged about twenty-eight years, deposed that about eight years ago he mowed for Richard Kent, etc. Also the past summer he saw said Kent's negro mowing into Rowley division, etc. Sworn, Mar. 27, 1680, before Jo. Woodbridge,‡ commissioner.

Richard Dole, jr., aged about twenty-nine years, and William Dole, aged about twenty-one years, deposed that they saw two of Mr. Richard Kent's men mowing, etc. Sworn in court.

John Kent deposed that he mowed the cove several years for his uncle Richard Kent from the southeast corner on the upland to a dry stub on a knap, etc. He was molested neither by Robart Rogers, then proprietor, Richard Doell or Henry Jaquis. Sworn, Mar., 1680, before Jo. Woodbridge,‡ commissioner.

James Ordway, aged sixty-four years, and John Webster, aged forty-eight years, testified.

James Ordway, aged about sixty-one years, deposed that when Richard Dole had gotten several persons, among whom were Rich. Knight, John Knight, John Emery, sr., and Hugh March, to view the bounds between him and Rich. Kent, Henry Jaquis stepped out from the company and said, "I can show you the place where Rich. Kent challenged his bounds," etc. Sworn, Mar. 26, 1680, before Jo. Woodbridge,‡ commissioner.

* Writ: John Barry v. Samll. Chapman, executor of the estate of Edward Chapman; for not paying him a legacy of 5li. given to his late wife by her father, Edward Chapman, in his will; dated Sept. 22, 1681; signed by Daniel Denison;‡ and served by Robert Lord, jr.,‡ deputy marshal, by attachment of the house and land of defendant.

† Writ, dated Sept. 22, 1681, signed by Hilliard Veren,‡ for the court and town of Salem, and served by Henry Skerry,‡ marshal of Salem, by attachment of land and a table belonging to defendant.

‡ Autograph.

Griffen Edwards, attorney and administrator in behalf of John Miles of Swansy and Ann his wife, the only remaining child of Colonel John Humphry, Esq., deceased v. Moses Maverick, John Legg, Richard Norman, John Peach, sr., John Peach, jr., widow Bartell, Wm. Bartell, Thomas Pittman, Edward Norman, Robert Bartlett, John Holmes and James Bennett. Trespass. Verdict for defendants. Appealed to the next Court of Assistants. Plaintiff did not enter bond to prosecute and the appeal ceased.*

Andru Touckeres bill of cost, 12s.

Joseph Gatchell, aged about thirty years, deposed that being in company with Mr. Abraham Kitveld at Mr. Gedney's some time the past spring Mr. Kitveld spoke about John Harinton's going in the ketch which belonged to himself and Andrew Tocker. He said that "John Brown Collins Brown" was master of the ketch and Kitveld and John Harinton were shoresmen, and their shares of the voyage came to 8li. 13s. Harinton's share was in Tucker's hands and the latter said he would not pay it because he thought Harinton had had his share already. Sworn, Sept. 21, 1681, before Bartho. Gedney,† assistant.

Thomas Mould, aged thirty-three years, and Humphrey Deverix, aged twenty-five years, deposed that about five months ago near Andrew Tucker's house they heard Tucker refuse to give Harinton an account of the voyage. Sworn, 21 : 7 : 1681, before Bartho. Gedney,† assistant.

Thomas Mould deposed that he was at Mr. Petherick's house at Marblehead Neck, etc. Sworn in court.

*Writ: Griffen Edwards, attorney and administrator in behalf of Mr. John Myles of Swansey and Anne his wife, the only surviving child of Col. John Humphreys, Esq., deceased v. Moses Maverick, John Legg, Richard Norman, John Peach, sr., John Peach, jr., widow Bartell, William Bartell, Thomas Pittman, Edward Norman, John Martin, Nicholas Merit, Richard Rowland, James Smith, Robert Bartlet, John Holmes and James Dennis; trespass, for assuming possession of a farm near Marblehead, containing about seven or eight hundred acres, which was formerly granted to and possessed by said Humphreys; dated Aug. 24, 1681; signed by Hilliard Veren,† for the court and town of Salem; and served by Henry Skerry,† marshal, by attachment of the houses and land of said Legg, Maverick, Richard Norman, Bartlett, Holmes, Rowland and John Peach, sr.

Copy of a record of the General Court made by Edward

† Autograph.

Rawson,* secretary: "Att a Generall Court held at New Towne the 12th day of y^e first moneth 1637 or 38. Itt is Agreed that M^r Humfrey his ground shall beginn at the cliff in the way to Marblehead, which is the bound betwixt Salem & Lynn; and so along the line betweene the said Townes to the rocks one mile by estimation to a great red oake marked, from which marked tree, all under & ouer the sd Rocks upon a streight line to the runing brooke by Thomas Smiths house all the which said Ground wee allow him for his owne, & so from Thomas Smiths to the sea in case the Ground Appeares to be m^r Humfreys upon which Thomas Smith & W^m Witters houses stands with the Ground which they haue broken up by their houses by the Joint Agreement of William Traske, Natha Turner, Richard Weight, Abrah. Palmer."

Defendants' bill of cost, 5li. 3s. 4d.

Copy of papers in a similar action in Salem court, 24 : 4 : 1662, made by Hilliard Veren,* cleric.

Copy of a bill of exchange:

"To M^r Robert Hathorne at M^r John Winches on Ludget hill London. Be pleased to pay unto M^r Lidia Bancks the some of one hundred pounds in october next and is for so much of hers receiued here, make her good payment & put it to the account of him who is y^r to use

"Salem : 19 : 9^{ber} : 1651

Wm. Hathorne."

Jacob Willett's† receipt in full, dated 22 : 11 : 1675, to Maj. William Hathorne of Salem for 42li. 15s., to balance all accounts between said Hathorne and Lydia Bancks.

Jeffry Massy and Peeter Palfry testified that about nineteen or twenty years ago, being called upon by John Johnson and the marshal to appraise the quoy ponds farm, this they did. Sworn, 2 : 4 : 1662, before Wm. Hathorne. Copy made by Hilliard Veren,* cleric.

Deed, dated 23 : 6 : 1655, given by William Hathorne of Salem, one of the attorneys of Mrs. Liddea Banckes, late of Salem, for 123li., to Mr. Moses Maverick, David Corwithin, Arther Sandin, William Charles, John Peach, the elder, and other inhabitants of Marblehead, the farm of 400 acres called the plains farm in Salem, adjoining Mr. Peeter's farm, with all the housing and fencing, excepting 50 acres and two ponds formerly granted to Mr. Downing, as per deed dated 24 : 7 : 1645. Copy from the records of sales in Salem then kept by Elias Stileman, recorder, made by Hilliard Veren,* recorder.

Copy of a record of the County Court held at Boston, July 26, 1664, made by Isa. Addington,* cleric: Wm. White, attorney to Lydia Bankes, spinster v. Major Wm. Hathorne; for withholding about 250li.; dated July 16, 1664; verdict for plaintiff, 56li. 15s. 7d. The jury declared that they did

* Autograph.

not allow the 24li. at Marblehead, but conceived that Mr. Hawthorne had his remedy in that respect.

"Beloued brother

"I receued yours datd the 30 of the 3 month 1645 and wrot to you againe by the last ship: but know not what the ship wass colld only my leter wase sent by M^r Eldred now lest that may mis cary and not come to your hand and hering of M^r hackingses comming to you I thought feet to writt a loyne or to to you to g[i]ue you to understand that by yor leter you haue sould my landes at the plains for 123^{li} to be payd at 3 paimentes as aforsaid and you do nott queschon but that the payment will be soch that most of It may be retorn In to england by that time: my desier is therfor by the next ship that you will be plesed to make knowne unto mee what that payment is for I should be very glad if the payment might be made her In england and I sustaine no Dameg by it: and as the ceare of that I have Is holy committed to you I must Intreat you to send me word about my cattel what thay be and to advise mee what to do for I sopose some of them be very ould and whether thay be worth the keeping for thay be very low and therfor whether they war not beter to be put In some other commodity I desire but advise: also I left at my brother mories a trunke, nu hanginges nue ruge nu boulder som nu cloth I haue neuer herd word from him senc I cam from thenc thou I haue writ to him seuerrall times I desier you to take som care of them and let me heare of them I cannot but acknoleg as I unfainedly do to Gods glory and my gret satisfection your brotherly care and crischen trauel for me beleueing that the same mesur shall be mesured out to you and yours in this world besides the boundles roning ouer you shall haue to eternet In Jesus Christ which is the desier of her that Is your truly louing sister In christ
"Maydston august the 28 1646. Lydia Bankes."*

"I canot writ acording first & sacont month becas I know not when thay begen.

"pray let my Inderred be presented to your wife espectr as all so to m^r dounind & her hosband desiring them to reioyce with me for that the lord is ples to make ther sone a Instrement of praise In the hartes of tose that rejoyce to hear the sperit of god poured forth apon our yong men acording to his word let her know that he prech In our town of maidston a doy or to befor this letter wass wrot to the gret soport of our sperites

"also I desier not to be unminndfull of our reverent teacher & elder: the worthi m^r endecut & all there with the hole church humble crauing ther earnest remembreng me to god

* Autograph.

that I may thro him cari forth his hole profision without any dishonr to his name."

On the reverse of the foregoing paper: "The psentment agst Redman is that he plotted wth the Indians for the cuting of Luter the master & 4 seamen more," as proved by his own confessin and the testimony of a boy aged sixteen years.

Letter addressed "To M^r William Hathorne at Salem In New England:"

"Maidston 18th of Aprill, 1648

"S^r I recd yo^r of y^e 14th of y^e 8 month wherin I perceiue yo^r faithfull Endeauors as for yo^r selfe (or as yⁿ say) if not aboue I am not ignorant of yo^r Great paines & Cost that yⁿ Constantly a^r at in my behalfe I desire it may be Considered

"And now I perceiue yⁿ haue in yo^r hands about 80^{li} for farme & Coues rent. I desire to know how much is behinde of y^e payment of y^e Land & w^t the rent of the Cowes doe redound to; & wither I haue anything in M^r Boarnmans hands of Ipswitch.

"And for y^e 19^{li} in Goodman Johnsons hands I desire it may be payd into you and haue accordingly writt to him. For those things w^{ch} were in Roger Moorries hands Goodman Johnson had a p^ticular of, wth all y^e rest of my things and soe I would deferr yⁿ to him. And now Deare S^r as I haue always found yⁿ ready & willinge soe I must now further Engage my selfe to yⁿ to Advise me in the transportation of my mony, w^{ch} for y^e p^sent I shall not doe untill I heare further from you. In yo^r last letter befor this yoⁿ spake to me of lands yⁿ had to sell heer if the times were peaceable wherin yⁿ thought yⁿ Cold helpe me in y^e transportation of it. Now I desyre yⁿ to aduise me w^t yⁿ Can doe in y^t or any other way For y^e residue of y^e paym^t of Marblehead I hoope ere this Comes to y^r lands yⁿ may haue recd it: I was very thankfull to God to heare that you & yo^r were well I trust y^e Lord doth still p^serue yⁿ soe. Let my Christian respects bee p^sented to my deare sister yo^r wiffe. As alsoe to o^r reuerent Teacher, with y^e rest of o^r Christian freinds In y^e Armes of whose Loue I Leaue you

"Yo^r Truly Lou: Sister in the Fellowship of y^e Father & of y^e Sonn

"Lydea Bankes.*

"My Brother Read hath written to yⁿ this yeare & if yⁿ send to him I desyre our letters may Come together: it being somtimes long ere mine Come to hand."

Peter Petford, fish delivered, a kentall of refuse and merchantable; 2 kentalls for John Leg.

"10 : 6 : 48. M^r Smith sayth that what he had agst his

* Autograph.

man about offering violence to a woman was no other than what we had heard."

"7 score pounds or there about in answer. 5. 12. 48."

"Deere Brother:

"Yours dated the 3^d of the 4th Moneth 1645 I reseived thankfully acknowledginge your love & faithfullness in my business requested of you. I understand by you^r that you haue sould my land for 123^{li} and that it is to be payd for, at three payments (if I mistake not) the first to be this 4th moneth (the date heerof) the other that tyme 12 monethes. the last 12 monethes after it with the w^{ch} bargine of youres I am well satisfied and much acknowledge bound to you for your care & paines therein And good Brother let me be farther ingaged to you to take care that this first payment (now deew) may be returned over to me so as I may not abide my adventure in the cominge of it over, it beinge a great part of what God hath left me for my subsistence, the rest of the monny as it shalbe deew I shall depend one you to take care of for me for the p^{re}sent not aprehendinge I am like to remove hence. I left som things wth my Brother moorery but as yet I never heard from them, they are knowne to you.

"For my Cattell som of them are ould & scarce worth keepinge (as I understand) for I haue had noe proffitt of them since I came ouer so as I thinke it wilbe well to put them off & returned to me (yf you thinke fitt) but of this I desire your advise by the next one w^{ch} I shall atend this conveniente passage I mett w^t by exedent and am unwillinge to omitt it haveinge formerly over stript the poertunity of sendinge you shall by the next yeere oft me (god willinge).

"these with my endeered respects to you^r wife not forgettinge our Reverent Teacher & his wife w^t all our Christian Bretheren & sisters whose prayers to the Throwne of grace I humbly craue and Beseech the Lord to make up to you & yours my accompt.

"You^r assured Lovenge Friend

"Maydstone in Kent June the 14th 1646 Lyddea Bankes."*

"It is desired by thos it doth conserne that if m^r Hurts sone that was left at M^r Venars be ther ore alieu that he be sent ouer the next pasaig ore elc he will louse a verie good estate which we doubt part is lost becaus he did not com supposing he had bine ded but if he com he shall haue sumthing and if any will bring hem he shall be paide for his pasaige."

Edward Richards of Lynn, aged about sixty-five years, testified that the plains farm lying between Mr. Ralph King's farm and the farm called Mr. Peter's farm was enjoyed and possessed by John Humphreys Esq., from the time he first came to New England to the time of his departure, and he

* Autograph.

had improved it by building, ploughing, sowing, fencing and feeding. Sworn in court.

Samuel Pike of Lynn, aged about twenty-seven years, testified that he had carried away about ten or twelve cords of wood for John Legg off his lot, he had bought of James Dennis twenty cords of wood, also some of John Martin, and he had carted several cords for Marblehead men off the land. He had also seen several men of Marblehead hauling away timber and wood. Sworn, 26 : 7 : 1681, before Bartho. Gedney,* assistant.

Jno. Blany, aged about fifty-one years, testified that he carted off wood for Capt. Jeames Smith, the latter being with him, and Goodman Buckly employed him to cart firewood from Smith's farm at Marblehead plains. Deponent also carted wood from Mr. Maverick's lot, which is now in controversy, for Phillip Weltsh, Mr. Maverick's tenant. He saw Nicholas Merritt cut wood upon his lot and Goodman Pittman of Marblehead and his son cut and cart wood from there, and Eleazer and Jno. Linsy of Linn cut a frame which they said was for Jno. Codner of Marblehead. Goodman Poate of Marblehead lately had a frame cut there by one Goodman Sheldoun, a carpenter of Marblehead, and carted off by Samuell Pike and George Darling's son, Jeames Darling. Deponent heard Major William Hathorne say that he "tould Marblehead men that if they was not Contented And could not give them a good title and did not make good what hee sould them; that it was his Bargaine to give them there monye againe which was a hundred pounds and to take the farme againe." Sworn, 26 : 7 : 1681, before Bartho. Gedney,* assistant.

Edm. Batter* certified at Salem, 21 : 7 : 1681, that "about the yeere 1661, Joseph Humphrey & my selue were Adminis-trators togeather many acons ther were with men, I apeareed in some in others I saw noe ground but he would by his owne will doe it: this Case of Marblehead farme wherein M^r Mau^ricke & others are Concerned I am very Confident that I did not at all joyne with Joseph Humphreys in that acon: & some others that he did psecute its many years since (I doe well Rember) he sd he woould try all that formerly hade been his fathers & hauing my purse at Comand did sue many I doe Rember but one or two acons that euer I joynd Issue with him & its like he would put in my Name with his own for he knew that we were joyned in it."

Michael Bowden, aged about thirty years, deposed that he was living on Marblehead plains on the lot that James Smith let to him, and had cut and delivered by his order sixty cords of wood. He had cut eleven trees from Nicholas Merit's

* Autograph.

lot, had bought, cut and carried away wood from James Dennis' lot, had carted from Peach's lot wood for William Woods, had carted several cords of wood for John Legg and for John Codner, Nathanael Walton and John Martin. He had hauled away oaks and pines for timber for the use of Marblehead men, and wood for Moses Maverick from his lot, etc. Sworn, Sept. 26, 1681, before Bartho. Gedney,* assistant.

John Devereux, sr., aged about sixty years, and Thomas Bowen, aged about fifty-five years, deposed that they, having been many years inhabitants of Marblehead and still resident there and not concerned in the farm now in controversy, could testify that for the past thirty-four years, this land had been possessed by Marblehead men, etc. Sworn, Sept. 19, 1681, before Bartho. Gedney,* assistant.

Benjamin Parmiter, aged about seventy years, and Edward Read, aged about sixty-five years, deposed that they, having been many years inhabitants at Marblehead and still resident there and unconcerned in the farm, could testify that the plain farm was bought of Maj. Hathorne about 1645 by Mr. Moses Maverick, David Corwithin and others, etc. Sworn, Sept. 19, 1681, before Bartho. Gedney,* assistant.

George Darling of Salem, aged about sixty-six years, testified that he carried away a frame of a house for Jon. Codner and a frame of a house for Wm. Poet, etc. Sworn, Sept. 26, 1681, before Bartho. Gedney,* assistant.

William Bussy of Lynn deposed that living with Samuel Pike he had carted away wood for John Legg and wood from James Dennis' lot. Sworn, 26 : 7 : 1681, before Bartho. Gedney,* assistant.

Copy of Wm. Hathorne's account, made by Isa. Addington,* cleric: Mrs. Banks, Debt', 25 : 5 : 1664, Acctd with Jo. Putman, 26 : 4 : 1643 & paid him for keeping a bull and steer winter and summer with some other charges about the cattle, 2li. 10s.; Rates, 4s. 6d.; the Deacons for you, 1li. 1s.; 1644, p mr. Boarman as the overplus of 2 Cows, a steer, calfe and charges for the keeping them and fetching them home, 15s. 8d.; Rates for Town and Country, 6s.; keeping the steere, 1li.; 1645, Rates, 6s. 4d.; keeping the steere, 1li. 5s.; 1646, Rates, 8s.; the steer keeping, 1li. 5s.; 1647, Rates, 5s.; 1648, Rates, 7s. 6d.; 3 Cows died, charges more than skins, 6s. 4d.; 1649, Rates, 10s.; 1650, Rates, 8s.; sent to Mrs. Banks, 1651, charges in Roger Morries sute, 1li. 15s.; bill of exchange one my Brother & paid by Mr. Winch in London, 100li.; difference upon Exchange, 25li.; charges to Mr. Cromwell about Corne, 7s. 6d.; my charge in ferriage expence at bargain

* Autograph.

Jerimiah Neale, administrator of the estate of Mary Mansfield, executrix of the estate of her former husband John Neale, brought in an inventory on oath of about 31li., which was to be divided into six shares. Jerimiah Neale, the eldest son, was to have a double portion, the other four shares to be to Jonathan Neale and Joseph Neale, and the widow Ann Neale for the use of her children and the children of Jonathan Hart that he had by Lidea Neale.

Israell Honywell was released of his bond for good behavior, no one appearing to object.

John Pickworth dying intestate, court granted administration to Joseph Pickworth his brother, who was ordered to bring in an inventory to the next Salem court.

John Towne and Mary Towne, for fornication, which they confessed, were fined.

John Bager was fined upon his presentment.

Daniell Killam was fined upon his presentment.

Joseph Parker and his wife were fined for fornication.

Joseph Peasley, for abusing Peeter Green, was fined, bound to good behavior and disabled from bearing any weapon. Said Green was surety on the bond.*

making & the Deed & severall disburstments at receite of payment & my own time with a journey to providence to Roger Morie and 4 journies about laying out the farme one both sides in the yeares 62 & 63, 50li.; my ingagement to Marblehead either to disingage me or to allow me 24li., I being called to answer upon the same in an action in 62 at Salem Court in 1,500li.; total, 212li. 10d. Per Contra, Creditor: 1643, hire of 4 Cows to Jo. Putman, 6li. 5s.; Goodm. Laws, 10s.; Goodm. Hart, 1li. 10s.; 1644, hire of 5 Cows, 5li.; 1645, hire of 7 cows, 7li.; 1646, hire of 7 Cows, 7li.; a steer sold, 5li.; 1647, hire of 7 Cows, 7li.; 1648, hire of 4 Cows, 4li.; p Mr. Johnson, 13li. 10s.; 1649, 3 Cows sold more than keeping, 12li.; hire of a cow, 1li.; an oxe of Roger Morries besides charge, 7li.; 1650, a Cow sold, 4li. 15s.; Roger Morrie upon sute, 10li. 5s.; Corne of that ground, 1li. 4s.; a Farme sold for £120 of which received 118li. 6s. 8d.; total, 211li. 5s. 8d.

*Warrant, dated Sept. 17, 1681, for the appearance, at Mr. Saltonstall's lodging in Haverhill, of Joseph Peasely, upon complaint of Peter Green, for abusing him on Aug. 12 last, by kicking and striking him so that he was taken for dead

at the time and was for a long time in fear of death from the blows, signed by Nath. Saltonstall,* assistant. He appeared and was bound to appear at the next Ipswich court.

The declaration of Peter Green* as he lay upon his bed, dated Haverhill, Aug. 19, 1681: "On y^e 12th instant w^e was Friday last after the frame of James Davis his dwelling house & barne were both raised, & y^e Company had been at dinner or supper; Joseph Peasely did so inhumanely & cruelly beat, strike & kick me, that by y^t meanes & no other I have been forct euer since y^t time as soone as I got home with much paine to keepe my bed & wholly disinabled from all manner of labour, & necissated to send for a Doctor from Newbery; & am yet doubtfull & fearefull what may be the event. Besides many base, unchristian and reproachfull names y^t he y^a called mee, & other words that he gave mee. In the time of this abuse offered mee there were first & last present or neare who heard or saw it, John Whittier, Thomas Whittier, Jotham Hendrick, Ephraim Roberts, Gregory Marks, John & Steph. Davis. His actions towards me were on this manner, He, on a suddaine, came up to me & gave me a violent chuck und^r y^e Chin, & y^a catcht hold of my throat and pincht me so y^t it made my throat sore & to swell, & then, whilst I stood, he gave me a kick on y^e bottome of my belly whereby I am much wounded, & in much paine both night & day, my flesh much discolored, made black & blew & swell'd wth y^e blowes, that if I should recover so as to go about I feare I shall never be my owne man as formerly W^a he was thus in his rage & resolved & had me on y^e ground abuseing of mee, he often entreated & prayed some that were then present to be gone; & turne away, & not to see, & was very earnest wth them so to do. After this when his furious, murtherous passion was seemingly somewhat allaied, & y^e hurt I had received not viewed or knowne, he askt me whither I would goe home, & would have perswaded me to have gone wth him through y^e corne feilds, w^e was out of my way & y^e being refused by me, I went my owne way, & he went with mee, & y^a w^a wee came out of y^e feild into y^e street, or Highway, before I was aware of him he struck me so terrible a blow on the head, wth w^e he did dazle & stound & fell mee, & when I was getting up againe as well as I could he struck me againe & laid me for dead, & w^t blowes aft^r that he gave me I cannot relate otherwise y^a by y^e effects, y^t I find on my body; for y^a Eph: Roberts, Joth: Hendrick, Steph: & Jno Davis, & Gregory Marks being in sight, came & tooke me for dead as they say, & cried out, feareing whither I would come to life or not; On w^e, as y^r report, Joseph Peasely said Hang him dog, or drunken dog, I did but touch him wth my finger, or to that purpose.

* Autograph.

"At y^e first time w^a he had me downe & was upon me, he put his hand or fingers into my mouth and wounded my mouth, & in spetiall my tounge (w^a I doubt not but he had a will to pull out) w^a caused it so to swell that I could hardly eat for two dayes; & then he cried out y^t I bitt him; & y^a immediately he tooke my finger & putt it into his own mouth, & bitt it sorely, y^e wound whereof is yet apparent; besides other wounds & marks y^t he gave me on my nose, lipps, eye & face & head almost all over, w^a is now weake & much pained. I do professe, & truely beleve that, had not y^e good Providence of God by company being near prevented him, he had certainly at that instant killed me in y^e High-way: And I do still feare that if he be not by some speedie & effectuall meanes restrained by the Authoritie of y^e Country he will privately & maliciously kill me, or mine or both; if not others also. Since this abuse one of my creatures is not to be found, and to say positively y^t its gone by him, though I feare it, I cannot at present. This is not the 1st: 2^d nor 3^d desperate abuses & attempts y^t he hath made upon y^e persons of others, not to say how he carries it in his owne family to his Many unsufferable cowardly tricks he hath plaid before towards others, w^a tho hitherto hidden from Authority shall, w^a called for, fully appeare, by w^a his temper, & w^t spirit of mallice rules in him, may be fully knowne. For one whereof he was formerly bound to y^e Peace & Good behaviour, but since y^t pcured y^e release of it by forbearaing outrageous madnesse for feare of his bond for a small while, and to a good purpose indeed if this sore affliction which I feele & ly under by y^e effects & frutes of his libertie."

Ephraim Roberts testified that after Peasely had chucked Green under the chin, Peasely took an apple off a tree, threw it on the ground and in a fury stamped it into pieces, saying to Green, "I could do wth you as to this apple & deale wth you, & throw you into y^e river." Peasely challenged him then into the Plain field to fight but Green refused, saying, "I will go home y^e street way by Jothom's house, w^a is my neerest way," and when they reached the street, he struck Green a blow, saying "Come, I will be loveing," to which Green replied, "Is this your Love?" When he had beaten him until he was unconscious, Peasely said to deponent and others that he was drunk and told them to haul him under a log and he would be well enough by morning. Thomas Whittier, jr., and Stephen Davis also testified. Sworn, Aug. 24, 1681, before Nath. Saltonstall,* assistant.

Gregory Marks and John Davis testified. Sworn, Aug. 25, 1681, before N. Saltonstall,* assistant.

Jotham Hindaraks, aged thirty years, deposed that Peasely

* Autograph.

Fines set by Major Genrll. Denison, Esq., for misdemeanors of several persons brought into court and delivered to the Treasurer, 8li. in money, John Baker six shillings and Quarter-master Perkins five shillings not paid.

Capt. Nath. Saltonstall, Esq., gave in Hugh Stone of Andover fined for being drunk, 10s., to be paid in or as money, and John Page of Haverill 20s. money for disorderly selling drink.

Jonathan Gatchwell, bound to this court for suspicion of uncleanness, was ordered to appear at the next Salem court, and was ordered to be committed until he secure sureties on his bond.

John Doderige, being convicted of stealing 5li. 8s. in money, was ordered to pay the party 16li. 10s.

Mr. Frances Wainwright had his license renewed until March court.

Mr. John Wainwright had his license renewed until March court.

Thomas Judkin had his license renewed until June court.

Erasmus James had his license renewed until June court.

John Severns of Haverill had his license renewed for a year.

Mr. Farley had his license renewed for a year.

Daniell Clarke of Toppsfield had his license renewed for a year.

Upon a certificate received from Mr. Tho. Kellon, merchant, of the death of Nicholas Walingford, administration upon the estate was granted to Sarah Wallinford, relict of said Nicholas, and Caleb Hopkinson, who were ordered to bring in an inventory to the next March court.

Thomas Lambert, guardian of Abigail Lambert, was bound in 200li.

Upon complaint of John Lighton against John Newmarsh, the latter was admonished.*

felled Green to the plain near "my further bearn," etc. Sworn, 21 : 7 : 1681, before N. Saltonstall,† assistant.

*Copy of writ: John Newmarch v. John Layton; for striking and abusing James Tanler, his apprentice, in the highway when he was coming home; dated June 22, 1681. Copy made by Robt. Lord. On the reverse of this paper: "Sam¹¹

† Autograph.

Serle, James Garrow, Tho. Tredwell, Elisha Tredwell, Sam. Hodgkin."

John Leighton complained against John Newmarch, sr., that he was only discharging his duty as a tythingman, etc.

John Leighton and Daniel Hovy testified that "upon a Training day having heard the Honoured Major Gene¹¹ Denison when he dismissed his Band, say to the Company, that they should Repair to their homes, and not to shew the world their folly to be a shooting of their Guns (or to that affect) we being Tithingmen, and under an oath, were conscious of the same, and went to Places where we suspected rudeness to be, And one of these places was the House of John Berries for I the said Daniel Hovy Espying a person going into the said house did Guess by the persons acting that there was Company there (it then being about Ten or Eleven of the Clock at Night) did say to John Leighton (then with me) shall we go in to the house and see what company is there, so the said John Leighton went in (and I followed him) and John Leighton Asked what company was there? and a womans voice Answered (which I John Leighton knew to be the wife of John Berry that Answered) That there was no body there but a drunken fellow, and further said, that shee was glad we came, that shee might be Rid of him, for they could not get him out of their house, at which words, I the said John Leighton espied a person that went to go out of the said house, and Justled against the doore, as he went out, and staggered much as he went out of the said house, did say to Daniel Hovy, I think he is Drunk Indeed; and seeing the person, knew him to be John Newmarch his man (which person we saw the training day before at Night at another house very much in drink and we did warn him of it, that if we so found him hereafter we would complain of him) whom we now saw in such a drunken case was resolved to have him to athority, by Reason of our oath, we were conscious of Letting him go free in such a case, I the said John Leighton spake to Daniel Hovy to Lay hold of him, And I Daniel Hovy went to Lay hold on him, but he slipt away, and went staggering from him homewards, up the Long street wards, and we both followed him, and he (the said Newmarch his man) had a good bigg Cudgel in his hand and as I Daniel Hovy went to him, he with his Cudgel struck at me and I holding up my stick that I then had in my hand to keep the blowes off from me, one of his blowes broke my stick in two, at which time, I John Leighton was come up to him, seeing the said man so Rusticated did say unto him, What art thou mad? at which words the said man struck me a sore blow aiming at my head, but onely struck the side of my head and glanced away upon my shoulder, upon which I said, what! shall wee be thus

Deacon Goodhue was discharged from being administrator of the estate of Thomas Gidding.

Reckoned with the Treasurer Sept. 30, 1681, and then was due to the court 9li. 2s. 11d.

Major Robert Pike, Capt. Thomas Bradbury and Henry Browne were appointed to end small causes in Salsbury for the ensuing year.

Court ordered this caution to be recorded: "Whereas Phillip Welch and his famaly are come this somer to resyde in this Towne of Ipswich, The selectmen haveing warned out of this Towne by the constable, He refuseing to returne to the place whence he came The selectmen desire to enter this caution with this court y^t the sayd Welch & his famaly may not by resyding become chargable to The Towne by order of the selectmen."

Court approved this request of Henry Osborne: "Whereas I being at present In such a condition that I cannot attend my calling, nor carry on family affaires as I could or ought to doe, have desired the selectmen to take care of me and my estate to my best advantage as they saw meete, and they have deferd, or rather referd, it to this court, my humble request is, that they in their wisdom would take such care for me and mine, and what I have, as they shall judg best for my good being incapable to take care for myselfe, and

abused by a drunken fellow, did then close in with him, who gave me a hunch upon my breast with one hand and his other hand had hold on my Neckcloth, And then he gott from me and ran staggering a little way where he soon fell down but as he was going, I being so abused by him, did call out to Daniel Hovy, what! shall we be Thus abused by a drunken fellow, knock him down, knock him down, we both then went to him where he was fallen down, and Took him one by the hand, and the other by the other hand for he was very drunck, and could not get him along he would fall so much and I John Leighton then said to Daniel Hovy, stay you with him, and I will go to his Master he being a Tithingman to take charge of him, so I went to his Masters house but he not being at home I left word at his house of the condition of his man and charged his two sons to Asist me, who Refused except I had a warrant. And in the Time aforesaid of y^e said Newmarch his mans abusing us by blowes, he spake very un-seemly wicked and very sinfull words, not fitt to be spoken."

to that end I request that Simon Stace and Thomas Lull may be Impowered to act as in their discession they see meete."

John Clarke of Gloster dying intestate, Major Genrll. Denisin, Esq., and Major Samuell Appleton, Esq., appointed Joseph Clarke, his brother, administrator of the estate on Jan. 12, 1681. He was bound with Wm. Sergent as surety.

Nathaniell Wells dying intestate, Major Generall Denison, Esq., and Major Samuell Appleton, Esq., appointed Liddia Wells, the relict, administratrix of his estate and ordered her to bring in an inventory to the next Ipswich court.

COURT HELD AT SALEM, NOV. 29, 1681.

Judges: The Honrd. Majr. Daniell Denison, Maj. Saltonstall, Esq., William Browne, Esq., Bartholmew Gedney, Esq., and Majr. Apleton, Esq.

Grand jury: Nathaniell Putnam, William Trask, Christopher Babbadg, James Symonds, Henry West, John Loomes, Robert Going, Thomas Farr, John Newall, jr., Robert Leach, John Killum, Ensign Samuell Corning, William Griggs and Erasmus James.

Jury of trials: Capt. Tho. Fisk, Leift. John Pickering, Mr. Ben. Marstone, Mr. Daniell Andrewes, Seargt. John Leach, Danill Hitchin, John Edmonds, Jacob Knight, John Ingolls, Mr. William Rayment, James Davis, and John Peach, jr.

Isaack Williams v. Humphry Devorix. Verdict for plaintiff.*

Writ: Mr. John Appleton, jr., assignee of Phillip Muddell v. Joseph Elwell of Salem; debt of four pounds in money or dry fish, by bill dated Dec. 18, 1676, with interest; dated July 16, 1681; signed by Robert Lord,† for the court and town of Ipswich; and served by Robert Lord,† marshal of Ipswich, by attachment of house and land of defendant.

Writ: Ezekiehl Woodward v. Isack Hull; review of a case tried at Salem in Nov., 1680, between said Hull and Walter Fayerfield, executor of the will of John Solart; dated 13 : 7 : 1681; signed by Thos. Fiske,† for the court and town of Wenham; and served by Thomas Fiske,† constable of Wenham.

*Writ: Isaack Williams v. Humphry Devorix; debt;

† Autograph.

dated 19 : 9 : 1681; signed by Hilliard Veren,* for the court and town of Salem; and served by Henery Skerry,* marshal. Bond of Humphry Devorix* and Henry (his mark) Trevet.

Isaack Williams' bill of cost, 2li. 9s.

Copy of bond and other papers in a similar action, 28 : 4 : 1681, in Salem court.

Nathaniell Pease testified that he delivered, on account of Isack Williams, a parcel of hides to Humphrey Devorix about four years ago. Sworn in court.

Joseph Gatchell, aged about thirty-two years, testified that the bond was given in full settlement of their accounts, at which time Deverix owned to deponent that he had received a parcel of dry hides in consideration of the former bill for which this collateral bill was obtained, worth 4li. in money, etc. Deverix said he would give deponent 20s. if he would not tell what he knew about the transaction. Sworn before William Browne,* assistant, and owned in court.

William Andrew, aged about twenty-three years, testified that he delivered the hides to Humphry Deverex out of Capt. George Corwin's warehouse upon Isaac Williams' account on Mar. 2, 1677-78. Sworn in court.

John Willkingson, aged about thirty-four years, deposed that the bill dated June 20, 1680, etc. Sworn, before William Browne,* assistant, and owned in court.

William Andrew, aged about twenty-three years, deposed that the hides were worth 4li. 3s. 4d. Sworn before William Browne,* assistant, and owned in court.

Isack Williams and Margrey his wife deposed that they never had dealings with Humphrey Deverix after June 20, 1680. Isack Williams, jr., and Joseph Gatchell testified to the same. Sworn in court.

Joseph Gatchell, aged about thirty-two years, deposed that he having his abode under the roof of Isack Williams and often being present when the latter made payments to Devorax on the 20li. due, etc. Sworn, 20 : 9 : 1681, before B. Gedney,* assistant, and owned in court.

Mr. Humphrey Devorix of Marblehead, tanner, is Dr.: June 24, 1680, to money, 15s. 6d.; dry hides, 4li. 3s. 4d.; June 28, delivered to your father Mr. John Devorix in the presence of Jos. Gatchell, 14s.; to Joseph Gatchell, a pair of french fall shoes, 6s.; Aug. 14, paid at Mr. Gidny's in the presence of Joseph Gatchell, 4li.; Aug. 15, paid at Mr. Gidnies in the presence of Nathanll. Pease, 5s.; Nov. 4, to 126 lb. of dry hides delivered yourself p Nathll. Pease and myself, 3li. 4s.; to a pair of bootes delivered to yourself, my wife being present, 1li. 1s.; Dec. 14, in money, 10s. ; Dec. 21, money, 5s.; Jan. 3, money, 3s.; Jan. 11, 2s.; 1 pr. shoes to

* Autograph.

John How v. Mr. Richard Collicut and Mr. Nathaniell Greenwood, executors and overseers of the will of Hester Seers, deceased. Review. Special verdict. If Henry Mason promised to give his cousin How the bed, etc., it being owned by his wife that her said husband enjoined her by what he said to her on his death bed, that his promise should be performed, makes the bed a debt to Mr. How, they found for plaintiff, the bed; otherwise for the defendant. Court gave judgment for plaintiff.*

yoursself, 4s.; Jan. 18, paid to Jos. Gattchill, 1li.; Jan. 26, a pair of shoes to Robt. Nickolls, 6s. 6d.; to money, 5s.; money, 1s. 6d.; 1 pair of shoes to John Rogers, 5s.; credited Edwd. Weeden, 7s.; 1 pr. shoes, 6s.; total, 18li. 19s. 10d. Sworn, Nov. 20, 1681, before Bartho. Gedny,† assistant.

*Writ, dated Nov. 11, 1681, signed by Robert Lord,† for the court and town of Ipswich, and served by Returne Waite,† marshal of Suffolk. Bond of Richd. Collicott† and Nathaniell Greenwood.†

Defendants' bill of cost, 12s.

John How's bill of cost, 3li. 2s. 4d.

Copy of papers in a similar action, Sept. 28, 1681, in Ipswich court, made by Robert Lord,† cleric.

The special verdict returned.

Micall Donill, aged about thirty-six years, testified that being at Boston sometime in 1676 in company with John How and M^r Gould, Heanery Masson, as he was called, told deponant in the presence of his cousin John How that he had given his cousin How a feather bed and he thanked him for it. Sworn, Nov. 10, 1681, before Daniel Denison.†

Receipt, dated Mar. 31, 1681, for the legacies received from the executors of Hester Seers' estate, signed by Sarah (her mark) Parker, Ester (her mark) Parker, Elizabeth (her mark) Parker, Debora (her mark) Parker, Abraham (his mark) Parker, Israell How,† Robert (his mark) Grandy and Deborah (her mark) Skelton.

Receipt, dated Boston, Mar. 10, 1680-1, to Nathaniell Greenwood given by Isaac How for a feather bed, green rug and bolster.

John Gould and Thomas Tower testified that they heard John How demand a featherbed and bedding of Mr. Collicot and Mr. Greenwood at Obern and they refused them. Owned in court, 28 : 7 : 1680, at Ipswich.

James How, sr., aged about eighty years, and Abraham How, aged about thirty years, testified that their cousins,

† Autograph.

Benjamin Balch, sr., only son and heir of John Balch, sr., deceased, and legal heir to the land of his brother, John Balch, deceased v. William Dodg, the younger, son of William Dodg, sr. Verdict for defendant. John [Wm. — *Waste Book*] Rayment was taken from the jury in this action, by agreement of both parties.*

Goodman Seres and his wife came to their house to visit them about four years ago and Hester Seers, formerly the wife of Henery Mason, told them that her first husband had given her cousin John How his feather bed, but she could not spare it yet. Sworn, 28 : 9 : 1681, before Samll. Appleton,† assistant.

*Writ, dated 21 : 9 : 1681, for claiming three acres of meadow, signed by Hilliard Veren,† for the court and town of Salem, and served by Ephraim Herrick,† constable of Beverley, by attachment of the house of defendant.

William Dodge's bill of cost, 12s.

Samuel Balch, aged about twenty-nine years, testified that he was at the great marsh in July when William Dodge, 2d, and others were taking up hay on the meadow now in controversy between deponent's father, Benjamin Balch, and William Dodge. Freeborn Balch, his brother, was there also. John Balch, aged about twenty-seven years, testified. Sworn in court.

Copy of records of the Ipswich court, Mar. 31, 1663, and of Salem court, 24 : 4 : 1662, in this matter.

Copy of deed, dated Jan. 15, 1663, given by Benjamin Balch of Salem, yeoman, to Mary, wife of his brother John Balch, deceased, now wife of William Dodge, the younger, sixteen acres in Bass river side in Salem, at the head of the rails toward Wenham on the west side of the country highway that goes to Wenham, which is part of about fifty acres which was lately John Balch's, deceased, and ordered to grantor by a county court at Ipswich, Mar. 31, 1663; also three acres of meadow in this land, to said Mary for life, and after her death to return to said Benjamin, which three acres is the outside farthest from grantor's land. Wit: Hilliard Veren. Acknowledged, 14 : 11 : 1663, before Wm. Hathorne. Copy from the record of lands made by Hilliard Veren,† recorder.

Samuel Balch testified.

Freeborn Balch, aged about twenty-two years, testified. Sworn in court.

John Grover, sr., aged about fifty-three years, deposed concerning mowing this meadow. Sworn in court.

† Autograph.

Mr. Richard Pattashall v. Steephen Haskett. Debt. Withdrawn.

Mr. Nehemiah Willoughby v. Capt. Laurance Hamond and Mrs. Margerett, his wife, relict and executrix of the will of Francis Willoughby, Esq. Debt. Withdrawn.*

John Andrewes v. Abram Adams. Verdict for defendant. †

Zachariah Herrick, aged about forty-eight years, deposed that Benjamin Balch owned this meadow thirty years ago, etc. Sworn in court.

Edward Bishop, aged sixty-three years, testified that John Balch, Benjamin's father, owned it forty years ago. Sworn in court.

*Writ, dated Oct. 4, 1681, for debt, signed by Hilliard Veren, † for the court and town of Salem, and served by Henery Skerry, † marshal, by attachment of the farm of the estate of said Willoughby, lying in Gloster, now in possession of said Hammond.

† Writ: John Andrewes v. Abraham Adams; for rescuing Robert Cannon, who was arrested by Thomas Andrewes, deputy for Marshal Webb of Suffolk county, for serving the attachment for John Andrewes of Salem, surety for Cannon; dated 22 : 9 : 1681; signed by Hilliard Veren, † for the court and town of Salem; and served by Returne Waite, † marshal, by attachment of defendant's house and land in Boston.

Abraham Adams' bill of cost, 1li. 10d.

Thomas Andrews, † deputy marshal, aged about twenty-two years, deposed that on Feb. 12, 1677 at night he went to Abraham Adams' house and inquired for Robert Cannon. A woman who was there bade a little boy go and call him. Cannon and deponent went to the door to speak and found Jno. Andrews there. Andrews said "This is the man do yo' office," which deponent did by attaching said Cannon, who then went into another of Adams' houses to get his hat. When he came out he ran into Adams' house, up into the chamber, deponent following him, where the nurse pulled deponent by the hair and abused him with her tongue. Deponent fell backward over a stool and Cannon struck him two or three blows and then ran down stairs. Abraham Adams held deponent so he could not pursue Cannon and so the latter escaped. Sworn, Mar. 18, 1677-8, before Tho. Brattle, † commissioner.

Copy of papers in a similar action, Mar. 26, 1678, in Ipswich court, made by Robert Lord, † cleric.

Ann Fox, aged about forty years, testified that in the time of the great sickness in Boston on account of the small pox,

† Autograph.

Jonathan Hart, in behalf of himself and sisters, Eliza., Sara, Deborah and Florence, the only children and heirs of John Hart and Florence, his wife, deceased v. John Peach, jr. Review. Withdrawn. Leift. Pickering and John Peach were taken off the jury in this action.*

she lived in Abraham Adams' house as a nurse, there being seven persons sick, and some died. Robert Cannon and another man came running up into the chamber where the sick people were and they "did heave one the other about the Roome & upon the sicke people & Children & the sicke did cry out they shold be murdered," etc. Jno. Veering, aged forty-six years, testified to the same, he being a watcher in the house, and that one of the children died that night, etc. Sworn, Nov. 25, 1681, before John Fayerweather,† commissioner.

Nathanell Addams, sr., aged fifty years, deposed as to the commotion in his brother, Abraham's house, etc. His brother sent for the constable and carried the man who broke into his house before Governor Leverett, etc. Sworn, Nov. 25, 1681, before John Fayerweather,† commissioner.

Sarrah Andrews, aged about seventeen years, testified that she was in Adams' house, etc. Sworn, Nov. 25, 1681, before John Fayerweather,† commissioner.

Nathaniell Addams of Charls Towne, aged about twenty-eight years, deposed that about three years and a half ago, during the small pox visitation he was with his uncle, Abraham Adams of Boston, cooper, at the "Cattern wheele" when deponent's father, Nathaniel Adams, sr., came in for Abraham, etc. He also testified that the man who called himself the marshal's deputy was the worse for drink and could show no power of appointment as deputy. Sworn, Nov. 30, 1681, before B. Gedney,† assistant.

* Writ: dated 21 : 9 : 1681, for review of an action first tried, Mar. 1672-3, in Ipswich court, with verdict for plaintiff, afterward reviewed by the defendant at the next Salem court in June where judgment went against the now plaintiff, who appealed to the Court of Assistants and there recovered the case, and afterward brought by the defendant John Peach to the General Court, where judgment was given the defendant, signed by Hilliard Veren,† for the court and town of Salem, and served by Benjamin Gale,† constable of Marblehead, by attachment of the house and land of defendant.

Copy of letter of attorney, dated Mar. 1, 1672-3, given by Edward Flint, Jeremiah Neale, Joseph Morgaine and John Trask to their loving brother-in-law, Jonathan Hart of Salem.

† Autograph.

Abram Ketvill v. Andrew Tucker. Defamation. Verdict for plaintiff.*

Abram Ketvill v. Andrew Tucker. Battery. Verdict for plaintiff.†

Wit: Mathew Woodwell and John Swinerton. Copy made, 21 : 4 : 1673, by Robt. Lord,‡ cleric.

Copy of a judgment of the General Court, Oct. 15, 1673, that the house and land in the hands of Jonathan Hart be given to Jno. Peach. Copy made by Edwd. Rawson,‡ secretary.

John Peach's bill of cost, 1li. 8d.

* Writ, dated Nov. 23, 1681, signed by Moses Mavericke, ‡ for the court and town of Marblehead, and served by Benjamin Gale,‡ constable of Marblehead, by attachment of house and land of defendant.

Abraham Kitvill's bill of cost, 1li. 4s.

Hugh Guy and Richard Youngs testified that being about three months ago at the house of Andrew Tucker, about one hour into the night, they heard Abraham Kittfield say to Youngs, said Tucker's servant, that he would carry aboard the ketch Adventure that bolt rope of a main sail belonging to Phillip Jeffers, and also said that his master bade him, Hugh Guy being aboard the said ketch. The next day they heard Richard Young say to Abraham Kittfield that he would carry the rope ashore again for he would not be accounted a thief for him. Abraham replied that he should not, for he would clear him of it. Sworn, 29 : 9 : 1681, before Bartho. Gedney,‡ assistant.

Mary Tucker, aged thirty-five years, deposed that as she sat upon the bedside by her husband, Abraham Kittfield came into the house and said he would carry aboard the bolt rope, but her husband told him not to do it until he had spoken to Phillip Jeffers about it. Sworn, 29 : 9 : 1681, before B. Gedney,‡ assistant.

Thomas Manning, aged about thirty-five years, testified that on the last fare of fish at Cape Sable, coming from Margit Bay, there was a falling out between Andrew Tucker and Abraham Kitvill. All the ketch's crew being together abaft the mast, Tucker swore by his maker that he was going to break Kitvill's chest, going to the cabin to break it. Kitvill said it was not locked, whereupon Tucker opened it, took out one bottle of rum, drank it and afterward struck Kitvill, calling him a rogue and a thief. Sworn, Nov. 9, 1681, before Moses Mavericke, commissioner. Copy made by Hilliard Veren,‡ cler.

† Writ: Abraham Kitvill v. Andrew Tucker; battery, for

‡ Autograph.

Abram Ketvill v. Andrew Tucker. For not delivering an account. Verdict for plaintiff. Said Tucker was to give a full account of the voyage, upon oath, or deliver plaintiff his part of fish and oil.*

forcibly taking away the plaintiff's liquor from his chest and striking him; dated Nov. 23, 1681; signed by Moses Mavericke,† for the court and town of Marblehead, and served by Benjamin Gale,† constable of Marblehead, by attachment of house and land of defendant.

Bill of cost, 1li. 3s. 11d.

Hugh Guy, aged about eighteen years, and Richard Youngs, aged about eighteen years, testified that they often saw Tucker and Kittfeild take liquor out of each other's chest. Sworn, 29 : 9 : 1681, before B. Gedney,† assistant.

Hugh Gay, aged about nineteen years, deposed. Sworn, Nov. 3, 1681, before Moses Mavericke,† commissioner.

Thomas Manning, aged about thirty-five years, deposed. Sworn, Nov. 9, 1681, before Moses Mavericke,† commissioner.

*Writ, dated Nov. 22, 1681, signed by Moses Maverick,† for the court and town of Marblehead, and served by Benjamin Gale,† constable of Marblehead, by attachment of the house and land of defendant.

Bill of cost, 2li. 2s. 1d.

John Legg testified that about a month ago, he went to receive some fish from Andrew Tucker, and his wife delivered him about eleven quintals that were ready. She showed some more fish which she said was "the last sauefer," but he refused it for it was not "fitting to be waied of." Sworn in court.

Ann Gilbert, aged about twenty-two years, testified that in Andrew Tucker's house she heard Kittfield demand an account of the voyage of the ketch Adventure and Mary Tucker said he should have it any time. He agreed to come the next day and bring one man. Mary said one man should do for both of them, "excepting a Jarsey man." Joane Manning testified to the same. Sworn, 29 : 9 : 1681, before B. Gedney,† assistant.

Rebeca Alain, wife of John Alain, deposed that Docter Not, Leaneard Belringer and Abraham Kitvill were at Tucker's when Kitvill forewarned Tucker not to meddle with their fish unless he saw the weight of it. Richard Knott testified to the same. Sworn in court.

John Searle, aged about twenty-four years, testified that all the fish that were killed in the ketch Adventure were delivered to Andrew Tucker's stage and made by the latter's

† Autograph.

Mr. Nehemiah Willoughby, legatee of his deceased grandmother, Mrs. Elizabeth Willoughby v. Capt. Laurance Hamond and Mrs. Margaret, his wife, relict and executrix of the will of Francis Willoughby, Esq., deceased. Debt. Withdrawn.*

Maj. Thomas Savage and Mr. Samuel Apleton v. the widow Hawthorne and Ebenezer Hawthorne, her son. Verdict for plaintiff. Appealed to the next Court of Assistants. Ebenezer Hawthorne bound, with Seargt. Richard Haven and Daniell Hitchen, as sureties.†

wife and his servant. All the fish that were brought ashore the past summer had been carried to Boston or elsewhere and sold by said Tucker's wife. There was none left of the said ketch's voyage except the last fare that was brought from Cape Sable, said Kitvill being one of the shoremen belonging to the fishing voyage. Sworn in court.

June 1, 1681, fish delivered 11 1-2 quintals of merchantable fish for Mistor William Bron at 14s. per quintal; sold to Boston, 11 quintals of refuse cod, 5 of hadik and polik, one barel of iol; waid to John Martin, 1 quintal of hadik, to Mr. William Brown, 43 1-2 quintals of merchantable fish, to Mister Samuel Gardner, 8 quintals of refus cod, at 10s. per quintal; delivered to Tomos Giford, 6 1-2 quintals of merchantable fish, at 11s. 9d. per quintal in money; sold to Boston, 2 barels of oil, at 27s. per barel; waid to Philip Englis, 16 quintals of middling cod fish, at 11s. 9d. pr quintal upon account; sold to Boston won barel of ail; waid to John Lege aleven kentls of refus cod fish tin shilins a kentl.

*Writ, dated Oct. 4, 1681, signed by Hilliard Veren,‡ for the court and town of Salem, and served by Henery Skerry,‡ marshal of Salem, by attachment of the farm belonging to the estate of Francis Willoughby, Esq., lying in Gloster, and in possession of Capt. Laurence Hammond and Mrs. Margaret, his wife.

†Writ, dated Nov. 23, 1681, for using six or seven acres of land, usually called Blood's lot, bounded upon Gillow's land by Linn great bridge, signed by John Fuller,‡ for the court and town of Lyn, and served by John More,‡ constable of Lynn, by attachment of the now dwelling house of said Hathron.

Copy of papers in a similar action in the General Court, made by Edward Rawson,‡ secretary.

Copy of mortgage deed, dated Jan. 20, 1663, given by Jno. Paine of Boston to Samuel Appleton of Ipswich, etc. Wit:

‡ Autograph.

Thomas Danforth, Joel Jacoomis, Caleb Cheseamuck and John Evens.†

Copy of lease, dated Jan. 14, 1656, given by Edward (his mark) Hutchinson of Boston to Joseph Armitage of Lynn, 14 or 15 acres known by the name of Blood's lot, belonging to the owners of the Iron works, for seven years from May 1, 1654, for which he was to pay 50s. in corn per year; he was to build a stone wall from the upper end of the brook which divided Gillowayes lot and Blood's lot "all along the highway so farr, as the said Blood's lot runnes towards the Iron works, untill it Come to the great River the wall to be a sufficient stone wall, for fence to the said Land of foure foote high at all places;" the wall was to be completed within three years so that "swine may not come in to Roote up the marshes." Wit: Thomas Savage and Elisha Hutchinson. Copy made by Edwd. Rawson,* secretary.

Edward Tyng, sr., certified, at Boston, Oct. 16, 1679, that as creditor to Bex & Co., he sold all his interest to Mr. William Payne. Wit: John Barber. Copy made by Edwd. Rawson,* secretary.

Deed, dated Feb. 27, 1671, given by Samuell Benett† of Rumly marsh, Boston, house carpenter, and wife Sarah, to John Hathorn of Lynn, husbandman, ten acres of meadow in Lynn bounded by the land of John Gilloway on the south, William Martin on the north, town common of Lynn on the east and by a river running to the Iron works on the west. Wit: Robart Potter* and Thomas Newhall.* Acknowledged, 16 : 1 : 1676-7, before Wm. Hathorne,* assistant. Recorded in the records of Salem, book 6, folio 20, 21 : 7 : 1681, by Hilliard Veren,* recorder.

Deed, dated Feb. 27, 1671, given by Samuell Benett† of Rumny marsh, Boston, house carpenter, and Sarah Benit,† his wife, for 25li., to Benjamin Muzzy and Hudson Leverett of Boston, ten acres of meadow and pasture in Linn, which was granted by the town of Linn to John Poole of Linn, husbandman, and he to Richard Bloud, said Bennett having secured it by bill of sale, bounded by the land of John Gallo-way southerly, land of William Martaine northerly, town common easterly and a river running to the Iron works westerly. Wit: John Hathorne* and John Braid.* Acknowledged, May 14, 1672, before Daniel Denison.* Benjamin Muzzy,* of Romly marsh on May 21, 1673, assigned this land to John Hathorne of Lyn. Wit: Samuel Stocker* and Benjamin Muzzy.*

Agreement, dated July 2, 1681, of Samll. Appleton, jr.,†

* Autograph.

† Autograph and seal.

†See *ante*, vol. VII, p. 26. This copy makes clear these names, which were difficult to decipher in the original.

Samuell Appleton, sr., and Thomas Savage, sr., relating to the final settlement of the land and housing of John Bex & Co., and from them recovered by Savage, at Hammersmith in Lyn: that the property be equally divided between Savage and the Appletons; that the Appletons quit claim all other property recovered from Bex & Co.; that each party join in suits, if either party be sued; that Samuel Appleton, jr., divide the estate and Savage make choice of which half he will have, paying 10li. for the privilege, before Oct. 1, and until that time said Samuel was to have all the profits of the place, he paying to Savage 4li. in money and three barrels of cider; the cider was to be carried at Appleton's charge to the house of Wm. Hasie, jr., where Henry Green formerly lived. Wit: Dudley Bradstreet* and Hilliard Veren.* Acknowledged, 2 : 4 : 1681, before Hilliard Veren,* cleric.

John More, aged about thirty-three years, testified that sometime in 1680 he was hired by Ebenesar Hathron of Lyn to cut wood on this land and also to hoe corn, which he did. Owned in court.

William Clements, aged about twenty-three years, testified that he worked upon Blood's lot with John More and saw Hathron working upon English corn upon that place. Owned in court.

Saml. Appleton's bill of cost, 6li. 2s. 6d.

Oliver Purchis, aged sixty-four years, testified that he came to the Iron works in 1655, at which time Blood's lot was in the tenure of Joseph Armitage, deceased, who had it by lease from Capt. Edward Hutchinson, deceased, agent for the then owners of the Iron works at Lyn. Deponent had the lease in his possession and collected the rent, Armitage's lease being for seven years from May, 1654. After that deponent still kept the lease as clerk for the owners and let the land out to those who carted for the Iron works, as Isaack Ramsdall of Lyn for one, improving it also for himself for pasture. Some few years after, Mr. Bennett told deponent it was his land and said he would pull down the fence, but he did nothing until after 1662. Meanwhile deponent talked with Richard Blood who told him that it was true that Mr. Bennett bought it of him, but it was for Mr. Leader, who paid for it, and deponent enjoyed it without molestation. In 1664, Mr. John Hathorn of Lyn, deceased, came to deponent and asked to use the land for a pasture, which he did for one or two years, etc. Sworn, Sept. 26, 1681, before Bartho. Gedney,* assistant.

Joseph Jenckes, aged about eighty-one years, testified that thirty-three years ago, when Mr. Leader came first to the works, he desired to buy land. Leader being a monied man would

* Autograph.

not buy it himself lest men would make him pay too dear, therefore he employed Samuell Bennett to buy it for himself and deliver it to Leader, who thought Blood's lot was too dear and refused to take it and charged Bennett debtor for the money which was three score pounds. When Leader first came, Bennett lived in the farm house and Leader had six oxen and Bennett many more, and Leader having no pasture was allowed to pasture his cattle in Blood's lot, which he continued to do after Bennett lived at Waker's plain. When Mr. Jefard came, they being loving friends, Bennett gave him the same privilege. Sworn, Sept. 17, 1681, before Bartho. Gedny,* assistant.

Daniell Salmon, aged about seventy-one years, testified that about thirty years ago, living at the Iron works in Lynne in Mr. Leeder's days, Bennett owned this land all the eight or nine years that he lived there. Sworn, Sept. 6, 1681, before Bartho. Gedney,* assistant.

Alexander Duggles, aged fifty-one years, testified that he was sent a servant to Mr. Jeffards, agent to the Iron works company, Mr. Bex & Co., and this lot was used by said Jeffards from before 1650 until 1653, when it was taken by execution and delivered to Capt. Savage and Mr. Hutchinson. From 1653 to 1662, the land was used by the owners of the Iron works of Lyn. Sworn, 26 : 7 : 1681, before Bartho. Gedney,* assistant.

John Blanco, aged fifty-one years, deposed that in 1650 he was clerk to Mr. John Jiffards, etc. Sworn, Sept. 26, 1681, before Bartho. Gedney,* assistant.

John Floyd testified that thirty-three years ago, etc. Sworn in court.

Thomas Tower, aged fifty years, testified that over thirty years ago, etc. Sworn, Sept. 26, 1681, before William Browne,* assistant.

John Blany, aged about fifty-one years, testified that he was clerk for the Iron works company in 1653 and Marshals Wait and Mellins and Ensign Fuller by execution "Brock of the dwelling house" of the Iron works and delivered houses, lands and servants to Mr. Edward Huchison and Major Thomas Savage, etc. Sworn in court.

Sarah Hathorne's bill of cost, 2li. 6d.

John Giffard* testified that when he was agent for Mr. John Bex & Co., at the old Iron works, etc. Sworn, 23 : 7 : 1681, before Tho. Brattle,* commissioner.

George Darling, aged sixty-six years, testified that Blood's lot in Lynn adjoining Gillawayes lot next the great bridge by Capt. Marshall's, etc. He further testified to the owner-

* Autograph.

ship from 1653 to 1661, when he left the works. Sworn, Sept. 26, 1681, before Bartho. Gedney,* assistant.

Thomas Belle, aged about fifty years, testified that about thirty years ago he lived at the Iron works in Lynne and Samuell Benett employed him to cart for him, telling him to put his working oxen into this lot, etc. Sworn, Sept. 6, 1681, before Bartho. Gedney,* assistant.

Clement Coldrum, aged about fifty-seven years, testified that Mr. Leader hired him and two other men to mow all the grass on both sides of the river at the Iron works, but said he had nothing to do with Blood's lot. Sworn in court.

Edward Richards, aged about sixty-five years, testified that thirty-five years ago, Mr. Leader told him, etc. Sworn in court.

Thaddeus Riddan, aged about fifty-six years, testified that while he lived at Mr. Leader's house, etc. Sworn in court.

Thomas Newall, jr., aged about twenty-seven years, and Ebenezer Hills, aged about twenty-three years, testified that this last November they were at the now dwelling house of the widow Hathorn of Lynn, when Samll. Appleton, jr., legally demanded the land, etc. Sworn in court.

Copy of will of William Paine of Boston, dated Oct. 2, 1660, and allowed at a county court at Boston, Nov. 14, 1660, upon oath of Mr. John Mayo, Christopher Clarke and Wm. Howard, the Governor, Maj. Atherton and Mr. Russell being present: to Hannah, his wife, 200li., also his dwelling house in Boston, his mill at Watertown and all his household stuff for the term of her life; to his three grandchildren, children of his daughter Hannah Appleton, deceased, 1,500li., to Hannah, 600li., to Samuel, 500li. and to Judeth, 400li., and if any of them died without issue, the others to have that portion, and if all died, the whole amount to go to his son John Paine, such legacies to be paid at age or marriage; to his granddaughter Hannah Appleton, all the household stuff in the hall chamber after his wife's decease, the other grandchildren to have all the other household stuff after his wife's decease; to the children of Simon Eyres, deceased, Benjamin, Mary, Rebekah, Christian, Ann and Dorothy, 5li. each, and to Simon, son of Simon Eyres, jr., deceased, 5li. at age; to his sister Page, 3li. per year for life, and to his kinsman John Page, 5li. which is now in his hands, and to the other children of his sister Page, Samuel, Elizabeth, Mary and Pheebe, 5li. each; to the children of his sister Hamment, John, Elizabeth and Hannah, 5li. each and to his kinswoman Elizabeth House, daughter of Samuel and Elizabeth House, 10li.; to the two daughters of his cousin John Tall, 40s. each at age; to his son-in-law Samuel Appleton, 10li., to William Howard,

* Autograph.

15li., and to Jeremiah Belcher, 40s.; to Mr. Anthony Stoddard, 10li., Mr. Christopher Clarke, 10li.; to Mr. Joseph Tainter, 10li., and Mr. Oliver Purchase, 10li.; to Mary Ingion, 40s. annually for life; to the free school of Ipswich forever, the little neck of land at Ipswich commonly called Jeffery's neck, not to be sold nor wasted; to the Collidge at Cambridge, 20li. to be paid to the Worshipful Mr. Thomas Davenport of Cambridge and to remain in the hands of the committee and president of the collidge "as a stock forever;" to his reverend friends Mr. Norton and Mr. Wilson, pastor and teacher of the church of Boston, 40s. each, and 40s. each to Mr. Sherman pastor of the church at Watertowne, Mr. Browne, pastor of the church at Sudbury, Mr. Cobbet, pastor of the church at Ipswich, Mr. Fiske, pastor of the church at Chemsford, Mr. Phillips, teacher of the church at Rowley, Mr. Mayho, pastor of the new church at Boston, all legacies to be paid within one year after his decease; all the rest to his son John Paine, but if his son deceased without issue, the house and lands at Ipswich were to be given to the children of his daughter Hannah Appleton, deceased, Hannah, Judeth and Samuel, and 300li. were to be given the children of his sister Page and 300li. to the children of his sister Hamment; should his wife decease first, the children of Simon Eyres, sr., deceased, should have 5li. each added to their legacies and his two sister's children the same; he requested Mr. Oliver Purchase to be helpful to his son John concerning the Iron works, "whose ability & faithfullness have had experience of, vnto whose Care I do Comitt the said accounts"; John Paine, his son, Samuell Appleton, his son-in-law, and Mr. Anthony Stoddard, executors; Mr. Christopher Clarke, Mr. Joseph Tainter and Mr. Olliver Purchase, overseers; if the overseers and executors jointly should see just cause for some pious use and necessary work, to take 100li. out of his estate; to Doctor Clarke, 5li. and 5li. to Capt. Thomas Clark's company to buy them colors. Mr. Samuel Appleton appeared before the court and declared that on account of living remote and his inability to manage such a trust he renounced his executorship, and Mr. Anthony Stoddard on request of Mr. John Paine was appointed in his place. Copy made by Isa. Addington,* cleric.

Copy of the inventory† of William Paine made by Isa. Addington,* cleric.

Copy of inventory of such goods as belonged to the undertakers of the Iron works, appraised, Nov. 4, 1653 by William (his mark) Wood, Thaddeus Riddan and George Halsall: at Lynn, 27 plates at the two finneries and at the chaffery, 210li. at 10li. p tunne, 25li.; 11 pr. of tonnngs, 2 C. 2 qr., at

* Autograph.

†See *ante*, vol. II, p. 271.

28s. p C, 3li. 10s.; 8 Ringers and furgins, 1 C. 1 qr. 12li. at 21s. p., 1li. 8s. 7d.; 3 qu— at 20d p peece, 5s.; 1 Hammer, 1 Anvill & a Hurst, 6li.; 14 old Hammers, 6 old Anvills, 25li. 17s.; one bloome Cart, 10s.; 9 plates about the forge blower, wt. 16 C. 1 qr., at 10li. per tunn, 8li. 2s. 6d., 3 C. of halfe Bloomes at 15s. p C., 2li. 5s.; 2 Gudgions wt. 1 C. 2 qr. 3li., at 20s. p., 1li. 10s. 7d.; Barr Iron, 6 C. 1 qr., 5li. 16s. 7d.; 36 Anchors, wt. 20li. at 15 p C., 15li.; one loope, wt. 38li., 4s. 9d.; 3 Tunn of broken Cast Iron and sow tailes at 4li. 10s. p tun, 13li. 10s.; 5 C. of old Iron at 10s. p tun, 2li. 10s.; 28 Hearth stones, 40li.; The Iron house, 6li.; 25 C. of old Iron at 10s., p C., 12li. 10s.; Old Andirons & smale peices of old & new Iron, 19 C. at 14s. p C., 13li. 6s.; 300 of old Hoopes & bellow Irons, 4li. 10s.; 21 C. 3 qr. 6li. of Cast weights not fitted, 12li. 18s. 9d.; 43 C. 3 qr. 21li., Cast scrap Iron, 10li. 19s. 4d.; 3 plates, wt. 10 C. 1 qr. 8li., at 10s., p C., 5li. 1s. 7d.; 4 smiths Anvills wt. 6 Ct. at 14s. p Ct., 4li. 4s.; 1 plate in the furnace, wt. 50 C. 1 qr. at 10s., 5li. 1s. 7d.; 7 Hurts, wt. 9 C. at 10s., p Ct., 4li. 10s.; one broad axe, 3s.; 4 Cross Cut sawes not fitted 1li.; 3 old broken bellow irons wt. 1 C., 12s.; 5 old Hurts wt. 6 C. 1 qr., 1li. 11s. 3d.; 4 C. 2 qrts. of bellow Irons at 30s., p, 6li. 15s.; 5 Ringers, wt. 1 C. 2 qr. 16li., at 20s. p, 1li. 12s. 10d.; to streakes for wheelles, wt. 1 C. 21li., 1li. 3s. 9d.; 1 vise, 15, 2 for bord Hammers at 3s. p peece, 1li. 1s.; 2 hand hammers at 18d. p peece, 3s.; 4 pr. of tonnys at 18d. p peece, 6s.; 3 files at 8d. p peece, 2s.; 3 C. 1 qr. of scrapps at 10s. p C, 1li. 12s. 6d.; the dwelling house that Mr. Gifford lives in wth the washhouse & Appurtenances, 80li., The farme house & Barne & the new Cowhouse with the farme purchased of Thomas Dexter both upland & meadow, with the fences, 380li.; the stable, 6li.; The long house with 4 tenements, 20li.; A new peece of timber for a hammer beame, 6li.; the Smiths shop and the great barn, 35li.; Thomas Wiggins house, 2li.; Jno. Frances house, 7li.; Jno. Divans house, 3li.; Thomas Look's house, 8li.; Nicho. Pinnions house, 12li.; Richd. Hoods house, 5li.; Francis Perrys house, 6li. 10s.; Wm. Tingles house, 10li.; The Cole house, 15li.; 33 C. 1 qrt. 14li. scrapps at ye furnace bridg, 2li.; 8 Cart Rings for laches wt. 7 C. 3li., 1li. 16s. 1d.; one Broken mine plate wt. 5 C. at 6s. p C., 1li. 10s.; one old salt pan, wt. 12 C. at 6s. p C., 3li. 12s.; one long table & a short table & a bed sted in Mr. Giffords house, 1li. 15s., and 3 Iron plates in the house, 3li.; 21 loads of hay in the barns at 10s., 10li. 10s.; 2 pr. of Iron bound wheelles at 4li. 8li.; 3 tumbrells at 9s., 1li. 7s.; 126 C. of Rock mine at 6s. p., 37li. 16s.; 550 tunns of bog mine at 7s. 6d., p., 206li. 5s.; If after weything it prooves more to allow if it proove lesse then 550 tunns to abate for what it wants; The forge and

furnace dam & water Courses, Flood gates, trowes, Hutches, shafts & wheelles, 3 paire of bellows for ye furnace, blocks, etc., 1,000li., several lots of land that were bought for the use of the works, some Joynes to the furnace, Richd. Lords lot, John Hulins, Wm. Woods, Rich. Hudes, Jno. Ramsalls, Wm. Hedges, Mr. Knoules, Mr. Laighting, Adam Haukes, 80li.; 900 load of Coales at 14s., 630li.; A beam & scales and a sett of Iron weights of 5 C., 7li.; the Colliers house, 13s. 4d.; Jno. Flood an Anglish boy for 6 yeeres, 13li.; one wier scive, 10s.; Jno. Addams, an English boy for 4 yeeres, 8li., 7 Coale waynes broken & whole, 10li.; 526 load of wood at 5s. 2d. p Cord, 57li. 2 1-2d.; 35 Scotts, as followeth, George Tompson, Andrew Tompson, James Dunsmoore, Alex. Brabant, Jno. Mason, Alex. Burges, James Daniells, Alex. Grimes, Jno. Mackcall, Alex. Evins, Jno. Clarke, Jno. Archbell, Jno. Macshan, Alex. Dugle, William Jourdars, James Taylor, Thomas Gualter, James Thomson, Jno. Banck, John Purdee, William Mackwater, Peeter Grant, Georg Darling, James Laddle, James Addams, Micham Macculan, Jno. Toish, Micam Dourey, Robt. Minns, John Rupton, Thomas Kelton, Engram Moody, Tho. Tower, James Hourden, Jno. Steward, all valued at 350li.; 14 bastard muskett, 11 paire of Bandleeres & 9 Swords, 14li. 6s.; one halbard, 8s.; 4li. of powder & 5li. of match, 10s. 6d.; 4 C. of bellow nailes, 10s.; 60 old bellow nailes, 1s. 6d.; 40li. of ocum at 9d., 10s.; 64li. of spykes at 6d., per li., 1li. 12s.; two tackle blocketts, 1li.; 4 Gall. of tarr, 4s.; the body of a Cart and ladders, 10s.; 2 Iron Pins, 3 chaynes, one Clevis & pins, all wt. 70li. at 6d. p., 1li. 15s.; one chimney back, 6s. 6d.

At Braintry: 6 Tunn of Cast Iron at 6li. per tunn, 36li.; 10 C. of barr Iron at 20s. p C., 10li.; 6 C. of Anthonyes at 15s. p C., 4li. 10s.; 2 C. of bloomes at 12s. p C., 1li. 4s.; 1 3-4 C. of Anker Shanks, 1li. 15s.; 5 old Anvills, wt. 25 C. 6li. 17s. 6d.; 8 Hammers wt. 35 C. at 5s. 6d. p., 9li. 12s. 6d.; 3 Hurts wt. 3 C. 3 qrt. at 5s., 1li. 7d.; 15 plates at the Finnery & Chaffery & on the flower, 2 of them in the house, all weighing 20 C., 10li.; 7 pr. of tongs, wt. 1 C. 4li., 1li. 9s.; 1 C of old Hoops & other Iron, 1li. 8s.; 1 sledge and hand hammer, 5s.; 2 C. 1 qr. 4li. of old Iron at 10s. p C., 1li. 2s. 10d.; one Smiths Anvil, 1 C. 2 qrs., 1li. 1s.; one Loope hammer, 6d.; 2 new Gudgins, wt. 1 C. 1 qr., 1li. 5s.; one new chaffery shovell, 3s. 6d.; 5 Ringes & forgny & 5 Clams 1 C. 1 qrt., 1li. 6s. 3d.; A beame & scales, 1li. 15s.; one Cast halfe hundred weight, 7s.; one lead half hundred weight & 18li. lead wts., 13s.; one Grindstone & wrench, 12s.; two Coale weines, 3li.; two wheelbarrowes, one without a wheel, 5s.; one Iron Coale Rake & a wooden Rake, 3s. 6d.; 2 peeces of square timber, 10s.; 91 Foote of planck, 7s.; one house, 30 foott

John Daye v. Roger Marke. Debt. Nonsuited.*

Edward Beachum and Elizabeth, his wife, formerly wife of Joseph Medcalfe, deceased, and executrix of said Joseph's estate v. Edward Nealand. Nonsuited, there being a defect in the process by not inserting where the land lay.†

long & 18 foot wide, 25li.; a litle house, 2li. 10s.; 350 loads of Coales at 13s., 197li. 10s.; the forge dam, water course, pond, flood gates, trowes & all other things belonging to the forge, 291li.; the Iron house, 3li.; Brantreg land, Tayres lot, 1 acre, 17 rods, 2li. 15s.; Pennes lott, 78 acres, 17li. 17s. 6d.; old Ruggles lotts, 20 acres, 3li.; young Ruggles lott, 30 acres, 4li. 10s.; Martin Saunders lot, 29 acres, 7li. 5s.; Good. Newcombes, 18 acres, 4li. 10s.; Jno. French, 60 & odd, 1li.; Chapman, 1 acre, 2li. 17s. 6d.; Levitts house lott, 41 Rods, 1li.; Widdow Hunns lott, 20 acres, 5li.; one timber chaine, wt. 30li. at 6d. p li., 15s.; total, 3,961li. 5s. 6d. Copy made by Edward Rawson,† secretary.

Copy of agreement, dated Feb. 10, 1657, between Jacob Sheafe and William Paine of Boston, merchant; whereas at Boston court Sept. 14 and 15, 1653, several creditors recovered judgment against the estate of Mr. John Bex & Co., undertakers of the Iron works in New England, for 3,658li. 13s. 4d., Mr. Jacob Sheafe's bill of 138li., being allowed by Capt. Robt. Bridges, Mr. Joshua Foote and Mr. Henry Webb, commissioners and attorneys for the company, said Sheafe assigned all his interest in the Iron works to said Paine; Paine agreed further to pay one-half of what Capt. John Leverett shall have sold the Iron work for, over above three-score and four pounds, to said Sheafe, etc. Wit: William Paddy and William Osborne. Copy made by Isa. Addington,† cleric.

*Writ: John Day of Gloster v. Roger Marks; debt; dated Oct. 4, 1681; signed by Dudley Bradstreet,† for the court and town of Andover; and served by George Abbott,† constable of Andover, by attachment of twenty acres of land belonging to defendant.

† Writ, dated 25 : 9 : 1681, for keeping possession of Metcalfe's land, signed by Hilliard Veren,† for the court and town of Salem, and served by Robert Lord,† marshal, by attachment of forty acres of defendant's land, which was sometime Comings' land.

Defendant's bill of cost, 1li. 4s. 8d.

Copy of the record a similar action, 26 : 4 : 1666, in Salem court, made by Hilliard Veren,† cleric.

† Autograph.

Mr. Nehemiah Willoughby, executor of the will of William Willowby, his brother, deceased v. Capt. Laurance Hamond and Mrs. Margerett, his wife, relict and executrix of the will of Francis Willoughby, Esq., deceased. For not paying said William's legacy which was left by his father. Withdrawn.*

Mr. Nehemiah Willowby, son of Francis Willowby, Esq. v. Capt. Laurance Hamond and Mrs. Margerett, his wife, relict and executrix of the will of Francis Willowby, Esq. Withdrawn.†

John Procter v. Leift. Enoch Greeneliff. Debt. Withdrawn.‡

George Lowry v. Nicholas Chatwell. John How appeared for the plaintiff. Verdict for plaintiff, the debt to be paid partly in clothing.§

*Writ, dated 21 : 9 : 1681, for the estate left to William Willoughby by the will of his father and also by the will of his deceased grandmother, Mrs. Elizabeth Willoughby, signed by Hilliard Veren,|| for the court and town of Salem, and served by Isack Foott,|| constable of Charlestown.

†Writ, dated Oct. 4, 1681, signed by Hilliard Veren,|| for the court and town of Salem, and served by Henry Skerry,|| marshal of Salem, by attachment of the farm, land and housing of the estate of Frances Willoughby, Esq., in Gloster. Goodman Grigs, the tenant upon the land, owned Capt. Hamond to be his landlord, when the marshal served the summons, which he left at said Hamond's house.

‡Writ: John Procter of Salem v. Lieutenant Enoch Greenlefe, sr., of Boston; debt in silver money; dated Nov. 21, 1681; signed by Nat. Barnes,|| for the court and town of Boston; and served by Returne Waite,|| marshal of Suffolk. Bond of Enoch Greenlef, jr.,|| and Enoch Greenlefe.||

Bond, dated July 31, 1680, given by Lieutenant Enoch Greenlefe¶ of Boston, dyer, to John Procter of Salem, yeoman, for 18li. 10s. in silver money of New England, to be paid at the now inhabited house of said Procter in Salem, in payment for four oxen and twenty lambs, two oxen at 6li., two at 7li. 10s. and the twenty lambs at 5li. Wit: Thomas Very|| and Daniel Eaton.||

§ Writ, dated 22 : 9 : 1681, signed by Hilliard Veren,|| for the court and town of Salem, and served by John Rogers,|| constable of Salem, by attachment of some pewter and a table of defendant.

|| Autograph.

¶ Autograph and seal.

Gorg Lory's bill of cost, 2li. 2s. 6d.

Indenture, dated Aug. 7, 1673, George Lowry, with the consent of his father and mother Richard Lee and Elizabeth Lee of Furmus, Newfoundland, bound himself as an apprentice to Nicholas Chatwill† of Salem, mariner, for five years, at the expiration of which time said Lowry was to have 5li. and three suits of clothing. Wit: Edward Leuise* and William Balkwell.*

Daniell Rumball, aged more than four score years, deposed that he heard Goodman Chadwill say that he would carry Georg Loure to Vergine but rather than go there, he would live with deponent, so Chadwell sold him to deponent for a cow for five years. George was fain to hide away because he did not wish to go to Vergine, and an indenture was drawn up and signed. Sworn in court.

William Curtis, sr., aged about forty or fifty years, deposed that Nickolas Chadwil sold Georg Lore to "my father Rumbal," etc. Sworn in court.

Daniell King,* Will. Swetland* and Edmond Bridges,* being desired by George Lowry to judge what three suits of apparel were worth, reported on Nov. 25, 1681: to a hatt for Sabbath Dayes, 5s.; to a Coat, wascott & breeches & Drawers for Lords Dayes, 2li. 5s.; to shooes, shurts, Neckcloths and Stockings, 15s.; to other two sutes for working dayes, 1li. 15s.; total, 5li.

Petition of George (his mark) Lowry: "Whereas this hounered Court hath cast my former M^r Nicholas Chatwill the sume of seuen pounds ten shillings besides cost of court It is the desire of your poore petitioner George Lowry being uncapable to ackt for myselfe and that I my not be p^ruidied by those who possibly may be two subtle for me and not knowinge what my necessity in time my Call for doe tharefore desire this hounered court that It my be committed Into the hands of sume mans hand that is trusty where I my haue it as I stand in need of it if you thinke it meet Into the hands of M^r Edward Mowle or whom your houners shall think meet and it my be recorded and your poore Petitioner shall be thankfull."

Thomas Cloutman, aged about thirty-five years, testified that being at Newfoundland with Nicholas Chatwill he was at a house where there was an indenture made between said Chatwill and George Lowry but he saw no witnesses, neither did he see it signed. Further that Lowry came over in the same vessel with Chadwell as his servant. Sworn in court.

John Rogers, aged about thirty-four years, testified he was at Goodman Rumbell's when an indenture was signed

* Autograph.

† Autograph and seal.

The Honrd. Majr. Daniell Denisson paid Mr. King 3li. 10s. in money. The clerk paid at his house the marshal 3li. and in the court chamber 20s. more.

Capt. John Price v. John Procter. Debt. Verdict for plaintiff.*

Leift. John Higgenson v. Peeter Murrell. Debt. Verdict for plaintiff.†

wherein Lowry bound himself to Chatwell, which indenture deponent kept until his time had expired. He then delivered it to Lowry. Sworn in court.

*Writ, dated 21:9:1681, signed by Hilliard Veren,† for the court and town of Salem, and served by Henery Skerry,† marshal, by attachment of a new chest of drawers, a table and a great brass kettle belonging to defendant.

John Price's bill of cost, 1li. 9s.

Bond, dated Nov. 24, 1679, given by John Procter† to Capt. John Price for 9li. in Indian corn at 3s. per bushel, wood at 8s. per cord and pork at 3d. per pound or malt at 4s. per bushel, all for a like sum paid the town for said Procter. Wit: John Hathorne† and John Higginson, jr.† Owned in court.

†Writ: John Higginson, jr. v. Petter Murrell; debt; dated Oct. 3, 1681; signed by Hilliard Veren,† for the court and town of Salem, and served by Gilbert Taply,† constable of Salem by attachment of fish brought in and landed by Joseph Hardy, jr., and company, which fish was shown to him by Sergeant Jno. Clifford, shoreman to said Hardy & Co.

Petter Murell, Dr. to John Higginson: to the ballance of accompt Reckoned for 10:12 mo: 1679, 3li. 17s. 5d.; to William Eliot, 14s. 3d.; Mr. Samll. Gardner refused to pay 2s. 10d.; 10:12:79, to 10 yd. bl linon, 16d. per, Twine, 2s., haire buttons, 9d., 16s. 1d.; 24:1:80, to 1 howe, 10d., 2 1-8 yd. ane, 10s. 6d., tape, 6d., nedles, 2d., 12s. 8d.; 27:3:80, to pins, 16d., 4 yd Serge, 4s. 6d. p, thread laces, 12d., 1li. 4d.; 4 yd. blu linon, 16d per, 1 yd. osmbe, 16d., thread, 4d., 7s.; to Mary Elenwood, 10s., 1 pc. Tape, 22d., 1 pc. tape, 15d., 13s. 1d.; 8:4, to 34li. suger, 12s., thread, 16d., 1 doz. mack. hooks, 6d., 13s. 10d.; 5:5: to 20 bb. Indian corne of Wm. Dodge, 3-4 yd Cotten 2s. 6d. per, 3li. 1s. 10 1-2d.; to 1 yd. peniston, 3s. 4d., nedles, 3d., pins, 4d., 6 1-4 yd. ferit, 6d. per, 7s. 1-2d.; mony, 2s., pins, 14d., 18 1-2 yd. Genting, 3s. per, 1 pc. filiting, 3s., 3li. 1s. 8d.; 14:5, to colerd thread, 10d., 2 yd. peniston, 3s. p., 6s. 10d., 20:7: to 1 pr. gloves, to Baths Gerle, 18d., 1s. 6d.; 22:9:80, to pins, 8d., 1 1-16

† Autograph.

Whereas Richard Kent complained that Henry Jaquis indirectly received cost in an action not prosecuted by him at an Ipswich court, when the action was withdrawn by consent of parties, court advised Jaquis to repay it or to appear at the next Ipswich court.*

Leift. Enock Greenleife acknowledged judgment in silver money to John Procter.

Josiah Elwell dying intestate, administration upon the estate was granted to John Cook and Mary his wife.†

yd., say, 8s. per, cotten Ribin, 7 1-2d., 9s. 9 1-2d.; total, 16li. 6s. 2 1-2d.; 6 : 5 : 80, Rec'd p 6 qn. mercht. fish at 30 R per, 4li. 10s.; 28 : 9 : 1681, per so much alowed me by Tho. Serle, 4li.; total, 8li. 10s. Sworn in court.

Jno. Higginson's bill of cost, 1li. 2d.

Joseph Hardy, jr., aged about twenty-six years, testified that Petter Murell was shipped by him for a whole share upon their fishing voyage in 1681, and Jno. Ormes, jr., testified to the same. Sworn, Nov. 25, 1681, before William Browne,‡ assistant.

*Summons, dated Sept. 23, 1681, to witnesses, Anthony Somerby and Sergt. Nathaniell Clarke, signed by Anthony Somerby,‡ cleric for Newbury.

Henry Jaquis' bill of cost, 4s.

Bill of exceptions presented to court by Richard Kent of Newbury.

Danll. Davison testified that n 1679 or 1680 at the Ipswich court in March his father, Mr. Richd. Kent, desired Major Robt. Pike and deponent to signify to Mr. Richd. Dole and Mr. Henery Jaques that if the latter parties would "let fall" the action, they would do so also. Mr. Dole agreed to it, but Henery Jaques was not there and deponent's side concluded that agreeing with Mr. Dole was sufficient, supposing that he would inform his partner, as any honest man would have done. Sworn in court. Robt. Pike‡ testified to the same.

Bill of cost of Henry Jaquis and Richard Dole, 1li. 10s.

Henry Short deposed that being desired by his uncle Kent to speak with Dole and Jaques, the latter refused to let his action fall unless they could have it from Kent's own mouth or under his hand, and although deponent offered to give bond for 100li., they still refused.

‡Inventory of the estate of Josiah Elwell, which he left when he went to sea, appraised by the desire of his father and "the succeder" of the said Elwell, at Gloucester Apr.

‡ Autograph.

The will* and inventory of John Reeves, deceased, were proved and allowed.

13, 1680, by William (his mark) Vinson, Peter Duncant and William Elleget: house and ground and cowe house, orchard and two acres of sault marsh in Starknought harbour, 30li.; featherbead, rugge, curtaine and beadsteede, 5li.; childrens bead, ruggs and beadsteeds, 10s.; three Iron pots, one tramell, two pare pott hookes, 1li. 10s.; 9 pewter dishes, one wine quarte, 1 beeker, 1 gill pott, 1li.; one old warmeinge pann, 3s.; one chest, one box, small table and Joyne stoole, 10s.; musquet, 1 pare of bandaleeres, 1 pare of musquett bullett moulds, one cutlash, 1li. 10s.; one Cowe, 3li.; three old barrells, 2s.; one old Connoue, 2s.; one old ax, 1s.; two old sieves, 1s. 6d.; total, 43li. 9s. 6d. Proved in court, 29 : 9 : 1681, by Mary Cooke, formerly wife of Josiah Elwell.

*The will of John Reves† of Salem, dated Oct. 1, 1677: "I giue unto my daughter Elizabeth Richards one acre of ground out of my homestead where upon her now dwelling house stands & thus to beginn with fower pole in ye ffront next to ye Street, taking in This fowr pole with y^e breadth of the howse & ground shee hath alreadie in her possession, & So to runn Backward into my Lott with that breadth of fowr pole untill it make up a compleate Acre of ground, & this to be for y^e propper use & benefitt of her & heires for euer lawfully borne of her body Item I giue unto her my said daughter || Elizabeth || my great Iron pott, my Little Iron Kettle, A greene Rugg & one paire of blankets with what shee hath alreadie had of me, and for These Things now mentioned in this Article my will & desire to my said daughter Elizabeth is, That at her decease Shee bequeath them to her daughter Elizabeth Item I giue to my Son William, y^e one half of y^e remainder of my house Lott, besides what I haue giuen my daughter Elizabeth, next to her ground, also I giue him half my upland & half my marsh in y^e South field; & This I giue to him & his heires || of his body || foreuer, also I giue him a cow which he hath alreadie in his hand Item I giue to his daughter Elizabeth my biggest Iron kettle & Least Iron pott, also a green Rugg & a paire of blankets, & my flocke bed y^e part of my homsteed giuen him, is to beginn with y^e front to y^e great streete & so through my lott

"Item I giue unto my daughter Mary y^e other half of my homsteed with my dwelling howse & out howsing thereupon, also the other || half || of my upland & marsh in y^e South-field, all this to her & || her || heires for euer legill mak of her

† Autograph.

† Autograph and seal.

body Item I giue to her || my said daughter || my greate brass Kettle y^e Bed I Ly on and a pair of sheetes & a Rugg Item I giue unto her son John Kempthon my Bible And unto her Son Ephraim Kempthon I giue my mare Item I giue unto my Grand child John Reeves my horse colt Item ffor my Cart and wheeles and all sorts of plow Tackling & such like necessities for husbandry work my mind and will is that it be left for y^e use and benefitt of the three Brothers, That is my Son William Reeves Richard Richards & Ephraim Kempthon & theire heires, And that they each one respectuely beare theire part for y^e maintaineing and Keeping y^e Same in repaire, & so to be Kept for ye good and benefitt one of another as they shall haue occasion agreeing together about them Like Loueing Brothers And for what other things I shall Leave about howse belonging to my Estate not mentioned in this my will, my mind & will is that it be equally divided between my Three children, That is to say, Elizabeth Richards, William Reeves and Mary Kempthon or their Successors Also my mind and will is That in case it should please God I decease at a Tyme when my Son Kempthon or any under him may haue planted corne, or planted or Sown any other Seed or grayne upon my ground, he may & shall as in good Reason, reap, gather & enjoy y^e Same. And also he shall haue ye grass & hay upon ye ground for that season in wch he may haue bestowed his Labor, my meaning is if he hath mowed ye grass upon ye ground, he shall with ye corne & other graine that he hath Laboured for, haue & take wholley to himself & for his owne peculiar use, & So Likewise he shall haue for his owne proper use, all ye provizion of any kind whatsoever wch may be Left || in || my howse at my decease, only for my Two coves called Berry and Brindle, I giue & Bequeath y^e cow Berry to my daughter Elizabeth & Brindle to my daughter Mary. And ffor my feoffees in Trust to See this my will performed in each particular, doe now nominate & would request my Loueing ffrinds Thomas Rootes & Lieut Jno Pickring In Testimony whereof haue hereunto Sett my hand & Seale ye day & yeare abouesaid: haueing don nothing in this my will but upon mature & Serious considerations, good reasons moveing me to doe in each particuler as I haue don." Wit: Edward Flint* and Richard Croad.*

Will of John Revest of Salem, dated May 10, 1681, and proved, 29 : 9 : 1681, in court: "Imprimis I give and bequeath unto my daughter Elizabeth Richards, and her son my grandchild John Richards & his heires after her decease the dwelling howse of myne w^{ch} she now lives in with y^e Land w^{ch} y^e said howse stands upon & so much more of my Land

* Autograph.

† Autograph and seal.

from y^e streete front as shall in y^e whole make up one half acre in my Lott backwards bordring upon y^e Land of Benjamin Geerish Towards Thomas Flints: beginning in breadth upon ye Street northerly so much in ffront as I giue by these presents unto my Son William Reeves it being one acre of Land in my home Lott & noe more wch my mind and will is that I giue and bequeath unto my Said Son William & Elizabeth my daughter to be equally parted between them: and ye Bounds of this acre of Land wch I give and will unto my said Sonn William & Elizabeth my daughter is at ye small cherry tree standing a little within ye ffence of my Son William now enclosed between that and his howse: ye said Tree standing neer to ye ffence towards ye Streete northerly: I say I will & bequeath unto my Said Son William this half acre of ground aforementioned bounded at ye said small cherry tree and So to runn along with ye Land I haue given to my daughter Elizabeth Richards backward into my Lott from ye front as aforesaid so much as shall make up an acre of Land between them with what theire howses stands upon: That is one half acre apeece Item I give and bequeath unto my said Son William the one half of my upland in ye South ffield pertaining to Salem and also ye one half of my meadow in ye said South feild wch I bought of m^r Phillip Cromwell & was heretofore M^r Kennistones Item I give & bequeath unto my Said Son William a Horse and a cow wch he hath already in his hands also a fflogg Bed a Rugg & a Blankett A warming pann, a little wyer kettle a Table Board, Two chaires & a stone hammer

"Item I give and bequeath to my daughter Elizabeth Richards a Heifer or young cow for so I am to be understood also I bequeath unto her my greate Iron pott: a green Rugg, a Blankett & a settle wch stands in my howse Item I give unto my Son Ephraim Kempton and Mary my daughter his wife my dwelling howse wch I now live in & the Land on wch y^e Said howse stands together with all y^e remainder of my home lott in Salem. Excepting that acre of Land wch I have before given unto my Son William Reeves & Elizabeth my daughter: according to y^e bounds of it unto y^e small cherry within my Said Son Williams ffence as aforementioned & this I doe & have good reason & have a conscientious ty upon me — for ye same in soe doing in consideration of my maintenance from my Said Son Kempton & his wife and theire tender care and greate paynes with me in ye Tyme of my sickness: Likewise I give and bequeath unto my Said Son Ephraim Kempton the half of my upland in ye Sowth field I meane that half part wch is next to Edward flints Land, & was heretofore Daniel Baxters Item I give unto him my Said Son Ephraim ye one half of my meadow in y^e Sowth

field wch I bought of M^r Philip Cromwell Also I give unto my daughter Mary now wife unto ye Said Ephraim: my Brindle cow & her heifer wch is my peculiar gift unto her & hers as shee may see cause to dispose of: not onely as in consideration of dowrey but upon consideration of her dutifull care of me in y^e Tyme of my health & also her extraordinary paynes with me in ye Tyme of my Sickness: Item I leave unto her my young ox to defray ye charge of my ffunerall Item I give and bequeath unto my Said Son Ephraim my Brass Kettle, my Iron Kettle & Iron pott; my feather bed and Bolster together with all ye rest of my moveables & unmoveables Goods & chattles both within doors & without quick & dead, & in ye possession & custody of whomsoever: excepting what I haue before in this my last will given & disposed of also my will is that my Said Son Ephraim shall not Sell alien or dispose of this my howse & lands hereby given him upon his removeall to any other place except upon good probabilitie of advantage for himself and ffamily & that he also before his removeall purchase and Secure for ye use and good of his wife and children an habitation & posession to y^e answerable vallew of what he may best Sell ye howse and Lands here by these presents given him In witness whereof I haue hereunto Sett my hand and Seale ye day and yeare abovesaid and for my onely Executor I appoint & ordaine my Son Ephraim Kempton

"ye will & desire of ye Testator John Reeves being farther manifested before us that when his grandchild John Richards shall come to enjoy ye howse & land Willed as abovesaid to his mother & unto him after her then he shall give unto his three sisters Elizabeth Joanna & Mary Thirty shillings a peece but in case he should not liue to that tyme nor haue wife or heire to clayme his Intrest then ye said Howse & land shall || fall || to ye said three sisters & their heires or assignes equally to be devided among them: also that what soever Ephraim Kempton hath now or shall plant or sow as for matter of corne or other grayne upon ye ground of myne aforesaid he y^e said Ephraim or his assignes shall in ye season thereof likewise gather." Wit: Edward Flint* and Richard Croade.*

John Voden and his wife testified "that we heard Ephrehim Camten and his wife say that If Willyem Reeus had spok to his father when he caled him he had never altered his will."

Inventory of the estate of John Reeves, taken Nov. 15, 1681, by Edward Flint* and Richard Croade:* his howse & Land in Salem that is ye Land adjoyneing to ye howse being neer 3 1-2 acres, 150li.; his upland in ye Sowthfield

*Autograph.

John Watson, complaining against Nathan Webster, con-

being by estimation about 5 acres, 10li.; about three quarters of an acre of Salt marsh in ye said Southfield, 10li.; his cattle, an ox, 4li., 3 cows, 9li., a heifer, 1li. 10s., 14li. 10s.; a mare and colt, 1li. 10s.; his household goods in ye parler, a cubbard, 1li. 10s., Trendle bedsteed & 2 matts, 5s., 5 Chaires, 10s., A great Bible, 12s., some other small bookes, 1s., 2li. 18s.; in ye chamber, A Featherbed & Bolster, 3li. 10s., 2 green Ruggs being well worne, 2li., 2 paire of Blanketts, 1li. 10s., his wearing Apparrell hatts, shoes & stockings, 5li., 4 yds of pennistone having bin used, 10s., 12li. 10s.; a Table in ye said roome, 6s., Chest & a box, 10s., An old Ammunition sword, Bandleer & snapsack, 5s., 1li. 10s.; In ye kitchen, a greate Brass Kettle, 1li. 10s., 2 Iron potts, 1li. 5s., 2 Iron kettles & a warming pan, 15s., An old pewter platter, pewter Bole, a Tyn drupping pan, 3s., an old bedsteed, 10s., a settle, 10s., Lynnen wheele & a churne, 4s., 9 Traves, dishes & Trenchers, 13s., 2 pitch Forks & a spade, 2s. 6d., 1 hake, 1 crooke & a gridiron, 4s., 3 axes & an adze, 6s., peece of a plow chayne, 2s., paire of Fire Tongs, 2s. 6d., an old cross cutt saw, 1s., plow Irons, 4s., 2 Iron wedges & other old Iron, 4s., An Auger, padlocke & a hammer, 2s., An old porringer, 6d., 3 Cask & other old Lumber, 8s., An oyle Jarr & a grindstone, 1s. 6d., 7li. 8s.; an old cart & wheelles & a wheelbarrow, 15s.; horse collar & hames, paire of Trasses & an old cart rope, 2s.; A Flogg Bed, 12s.; due by Richard Priscerch to ye estate, 12s.; total, 211li. 18s. The abovesaid is Debtor to Thomas Flint for rates, 11s. 6d.; Mr Nehemiah Willoughby, 1s. 2d.; David Phippen, 5s.; Mr. John Crumwell, 15s. 8d.; John Pickring, 12s.; Philip Cromwell, 2li. 6s. 5 1-2d.; total, 4li. 11s. 9 1-2d.

Petition of Willaum Revs,* only son of John Revs, deceased: "my honnord father made a diesposal of his estat of lands and moualls in wrighting and That of my fathers Voluntary will and to all his childrens sattisfaction, but my sistar and brother in law liuing in the house of my father and with him my father being very aged and acompanied with great weakenes of body and infurmitys of ould age Ephrm Kemton and his wife my brother and sistar hath procured by misinforming my father and insenced my father against me therby hath procured an altARATION of my fathers estat contrary to my fathers voluntary will as may apear under his hand and as to y^e quantity and quality he hath gaue my brother in law four times soe much as I the eldest sonn and my eldest sistar hath by this last will: as thay cal it."

* Autograph.

stable of Bradford, for abusing him when he came to his house to pay his rates, was ordered to pay costs.*

* Warrant, dated Oct. 31, 1681, for the appearance of Nathan Webster and John Watson, signed by Daniel Denison.†

Nathan Webster's† complaint, dated Oct. 31, 1681, to the honored Major General Daniel Denison, Esq.: "this present yeare 81 I being constable: for Bradford: I reseaued a warrant from the county Tresurer M^r Robbert Paine to gath^r the county Rate w^h accordingly in conuenient time I did indeuer the same: and I gaue the inhabitants of Bradford notisse upon a Tranig day to prouid theare Rate: reday against the boote came: the boote came the 17: of the p^rsent moth and I specke to the boat men to reseae the Rate aboard one the 19 day: and on the 17 day: as sune as I had speck w^h the bote men: the same day early or late: I went and gaue them p^rtickler notisse that the bote was com to cary the rate corne: and I told them the must bring it aborde one the 19 day: and I also tould that I wold theare atend to reseae it: and I did atend att the bote till it was darke and then went hom: when I came home theare was of the inhabitanc of Bradford: John Watson also John: and Thomas Hardy, Danil Teny, Richard Kimball, Samuel Stickne and Gershom Hesaldene an William Sauery: these psons fell to wording of it w^h me semed to be angory: saying must we waight upon you all night: I told them that I had bin waighting upon them according to apointment att the Boote all the after noone: they told me that I had nothing to doe to order them to carry thare corn aboard: saying I must reseae it att my house I told them I cold not reseae it heare: I had no whare to put it: but I had prouided caske a borde: to reseae it: they said if I wold not empty theare corne they wold fling it amongst the hoses I told them if they wold leave theare corne in theare sacks: I wold cary it aboard for them: I told them I had no mesur I had caryed it aboard: John Hardey replied to me that if he left his sack w^h the corne Ile leaue my hart blood too: said Hardey: they agree to send Heseldine to borow a halfe boshell to mesur thare corne and fling it down: Haseldine went: and as he came w^h the mesur I locked the dore: what said they are we youre prisoners: that you lock us in: no said I you shall go hom and welcom if you will: then open the dore said watson: and let me goe out w^h I did prsently: then watson maid no hast out: but psently fell upon me in the entry got me downe and kept me downe brused my stomocke or brest I cald for help saying will you abuse me in my owne house but they

† Autograph

non of them was forward to com to help me till my wife brought a light then I got up then he forsed me backward into the house and layed hold of my staff to get it out of my hand but I kept my hold: and bad him stand of but he wold not stand of: or Ile lay the one but he still prest upon me: and so I struck him wth the stafe: then they all went out of the house and wattson mesured sum corne and flung it att the dore or by the dore: then I required John Watson and John Harde in his magestys name to tache the rate corne that ware theare: and cary it aboard the bote and I se them paid: the both replied that they wold not obey me: nor non of my athoraty: I being as I humbly conseave abused and tow much afrunted by these persons: being upon the cuntrys saruice cold do no lesse then discharge my selfe by aquainting athoraty wth the same not douting but I shall have audienc I shall remaine youre humble saruant to comand in ani sarvis of loue."

Samuell Stickney, Richard Kimball, Will. Savery, Thomas Hardy, John Hardy, Daniell Tenny, all being above twenty years of age, testified that the constable was not at the place appointed so they went to his house, etc. John Watson asked to be let out after they were locked in because his wife had been nearly brought to bed and he might be needed, etc. Sworn, Nov. 3, 1681, before Daniel Denison.*

Richard Hall testified that he was at work for Nathan Webster on Oct. 17, 1681 when Watson, Teny and Savery came after sunset with their corn for the county rate. Deponent told them that he had gone down to the river to the place appointed to receive it, etc. Sworn, Nov. 8, 1681, before Daniel Denison.*

Nathan Webster, constable, testified that they threw him down across a chair, and some said "com we will go into the seler and Brack out the hed of a barill of sider and drink." Deponent took down his staff and commanded them to be silent and to behaue themselves like men or I would complain to a magistrate, etc.

Danill Wickom, aged about forty years, and Caleb Hopkinson, aged about thirty years, deposed that being in Major Denison's house at the hearing, etc. Webster owned that the time he struck Watson was after they came from seeking his sheep. Sworn by Wickam in court and by Hopkinson, Nov. 28, 1681, before Daniel Denison.*

Susanna Adams and Elizabeth Symonds testified that they heard Thomas Hardy, sr., of Bradford say, in speaking of the rout at Nathan Webster's, that they rumaged his cupboard and knocked in his barrels of cider. "Did ye soe?" replied Susanna. He then repeated the words, and she re-

* Autograph.

plied "You gave the man just occasion of provocation, and deserve to be presented." Sworn, Nov. 21, 1681, before Nath. Saltonstall,* assistant.

Samuel Hassalton, aged about thirty-four years, testified that Watson's lip was cut by his tooth striking it when the constable hit him. Sworn, 27 : 9 : 1681, before N. Saltonstall,* assistant.

Robertt Haselton, aged about twenty-three years, deposed that he heard John Watson pour his corn down at the constable's door. Sworn, Nov. 18, 1681, before N. Saltonstall,* assistant.

Gershum Haselton, aged about eighteen years, testified that Watson tendered a bushel of old Indian corn, etc. Sworn, 18 : 9 : 1681, before N. Saltonstall,* assistant.

Shubaell Walker, aged about forty-two years, testified that Webster said he expected a boat from Salem to get the rate corn, which came to their side of the river, and he told them to put it on Mr. Godsoe's boat, which deponent did. He further deposed that it was an ordinary thing ever since he came there, which was in 1670, to put their county rate aboard a boat in Haverhill river upon their own cost. Sworn, 26 : 9 : 1681, before N. Saltonstall,* assistant.

William Godsoe, aged about thirty years, and Nathanill Pease, aged about forty-three years, deposed that on Oct. 17, 1681, the constable of Bradford agreed with him to carry the county rate to Salem. The inhabitants were attended by his skiff and Mr. Starling's boat to bring them and their corn on board and transport them back to the shore. The people brought it little by little and finally deponent asked Richard Kembal why they did not bring it in and he replied that they would not humor the constable so much, but that they did bring their rates to Griffing's house. Sworn, 2 : 9 : 1681, before B. Gidny,* assistant.

Thomas Sticknee and Joseph Bally, aged about thirty-four years, deposed that they went to the burial of nurse Smith on Nov. 2, 1681, and there were but seven or eight men to carry the corpse to the grave, of whom John Watson was one. They had about a mile and a half to carry it and when they had gone about twenty poles, Nathan Webster, the constable, required a man in his Majesty's name to assist him and took him from the bier. They did not hear him give Watson any notice that he was going to his house but he went there and took a pair of fetters away with him. Sworn, 18 : 9 : 1681, before N. Saltonstall,* assistant.

Goodwife Hall, aged thirty-seven years, deposed that on Oct. 19, 1681, she saw several men go in toward the ferry

* Autograph.

A warrant having been issued from Hon. Maj. Danill Denison for Mr. Edward Woodman's appearance, personally or by his attorney, to answer a complaint against him brought by Mr. Francis Wainwright for illegally marrying Symond Wainwright and Sara Gilbert against the mind and without the consent of said Francis, court declared that said Woodman's proceeding in marrying the aforesaid persons was illegal and unwarrantable, and advised and required him to forbear such practices in the future and ordered him not to join any persons in marriage until he received commission from the General Court.*

half an hour after sunset, of whom Samuell Stickne was one. Sworn, Nov. 5, 1681, before Nath. Saltonstall,† assistant.

John Griffing deposed that some came to the ferry place in Bradford, saying they were ordered to leave their corn there. Deponent told them that the boat lay near John Hesilltine's landing place near Haverhill shore. Sworn, Nov. 26, 1681, before Nath. Saltonstall,† assistant.

Jno. Williams testified to the same. Sworn, Nov. 28, 1681, before N. Saltonstall,† assistant.

The wife of Samuell Sticknee, aged about thirty-seven years, deposed that Webster said he might as well be hanged for striking Watson as for being a fool. Samuell Sticknee, jr., aged about eighteen years, deposed the same. Sworn, 18 : 9 : 1681, before N. Saltonstall,† assistant.

Mary Webster, aged about thirty-two years, deposed that, she asked Goodman Stickny to part the men and somebody heaved some corn down at the door. Sworn, Nov. 5, 1681, before Nath. Saltonstall,† assistant.

Thomas Kimball, aged about seventeen years, and Richard Kimball, aged about twenty years, deposed that Webster came to their house and told their mother to leave the rate at the ferry place at John Griffing's, and that he had told Bradforth people to pay the same day, etc. Sworn, Nov. 26, 1681, before Daniel Denison.†

John Hardy and Daniell Tenny, aged about twenty years, testified. Sworn, Nov. 26, 1681, before Daniel Denison.†

Nathan Webster's bill of cost, 1li. 15s. 3d.

*Writ: Mr. Francis Wainwright v. Mr. Edward Woodman; for illegally marrying Simon Wainwright and Sarah Gilbert against the declared mind and without the knowledge or consent of plaintiff; dated Nov. 5, 1681; signed by Daniel Denison;† and served by Joseph Pike,† constable of Newbery.

† Autograph

Nathaniell Roper, John Pearce and Samuell Graves testified that they were with Simon Wainwright at Newberry at Mr. Woodman's house. The latter asked if Simon were published according to law and they said they saw his publishment the last Lord's day upon the meeting house door and read it and it stood all day. He asked if it was put up by his father's order and they answered that they knew nothing to the contrary.

Judgment of the court in this action.

Rebeca Poore, aged about fifty years, and Judeth Daues, aged about twenty years, deposed that when he married them, Mr. Woodman asked Simon if he had his father's consent and he said he had, and if he thought there would be any question about it he would have brought the consent under his father's hand. The three men present said that Simon's father ordered the publishment. Then Mr. Woodman asked if the maid had the consent of her friends and the men replied that her mother was dead and her father had many years ago gone out of the country, so that there was no one who had the disposing of her.

Sworn to by the witnesses, 22 : 9 : 1681, before Nath. Saltonstall,* assistant.

Sworn to by the witnesses, and owned by Mr. Woodman,, 22 : 9 : 1681, before Nath. Saltonstall,* assistant.

Judeth Daues, aged about twenty years, testified. Sworn, 22 : 9 : 1681, before Nath. Saltonstall,* assistant.

Edward Woodman, sr., and Elisabeth Poore testified. Sworn by Elizabeth and affirmed by Woodman, 22 : 9 : 1681, before N. Saltonstall,* assistant.

John Broun's daughter Elizabeth, who dwells at home with him at Ipsweg, testified.

Mr. Woodman declared that the reason he did not ask Simon and his bride why they came to him to be married when they had magistrates in their own town was because he supposed that being court time, they were away from home. Sworn, 22 : 9 : 1681, before N. Saltonstall,* assistant.

Letter of Edward Woodman, sr.,* dated Newbury, Nov. 22, 1681, and addressed to "The worshipfull mager generall denesen, this p'sent:"

"Much honored Sr it is known to y'selfe that I ly under y' warrant to make my apearanc at Salem Court thes lins to y' worship are to desire that I may be relest of that warrant which I Conseu y'self and m'r wainwright may doe my resons of my desir are first Conserving my marying of Simon wainwright I haue sent you a copy of the eudenc that is upon oth in the hands of the much honored magor Saltingstall

* Autograph

Whereas Edward Whitteere, son of Abraham Whitteere, had formerly administration granted him of his father's estate, and he having now gone out of the country and being creditably reported dead, without having administered fully, court granted administration of the estate to John Whitteere, his brother, who was ordered to bring in an inventory to the next Ipswich or Salem court.

Hilliard Veren and John Waters were joined with John Tompkins, administrators of the estate of John Tomkins, deceased, and Mary, the widow, was dismissed as administratrix. The widow and several of the children petitioned for a settlement of the estate, an inventory of which estate was presented to the last court at Salem, amounting to 130li. The widow was to have her thirds of the house and land during her life and John Tomkins, the son, to have 5li., also the five children of Hugh Joanes, whose wife Hanna, now de-

with which he seems to be well satisfied with this addition to it that the why I did not demand of Simon why he was not married at Ipswedge was that my fancy deceived me that was the general Court wicke and Concluded in my own breast that they must stay season and put themselves upon a Jury to newbery Concerning other ground of my proceeding the Evidenc under oath may give y^r worship I hope satisfaction to enter a descors any further Concerning my power to marry which have been without question I thinke this twenty years or whether It was my duty to have sued for a new Comesion every year if that be such a law expresly or inclusively I must confes my Ignorenc that in neither have any heigh or low minded me of such a thing the which if I had known but suspicions of such a thinge I should not have sued for such an unprofitabell Comision but have quickly layd asid the worke which have Cost me many a bottle of sacke and liker when frends and acquaintanc have been Concerned in Case I was parsionale present with y^e worship I question not but I should give you satisfecksion as that you might by the entrust you have in m^r wainwright perswaded him to withdraw his Complaint and for my owne part I still hearby assure y^r worship that hence forth I will not marry any what euer they be but resue what pour soe euer I have into thair hands that gave what more may be said I shall refer to my frend trestoram Coffen whom I have sent to y^r worship in my behalfe further to debat the Case and to bring the result under y^r worships hand if you please soe fare to fauer mee."

ceased, was the daughter of John Tomkins, 20s. each. The remainder of the estate was to be equally divided among the seven children of deceased, Nathaniel, John, Sarah, Elizabeth, Mary, Deborah and Priscilla.

Jonathan Gatchell being bound in 50li., with sureties, John Gatchell, the father, and Joseph Gatchell, the brother, for his appearance at Ipswich court, to answer to a complaint made against him, and said Jonathan having made an escape and not appearing, the bond was declared forfeited. The sureties were ordered to pay 5li. in money and to pay to the selectmen of Marblehead or Ruth Williams, the nurse, 4s. per week until the court take further order, toward the maintenance of the child.*

*On Aug. 5, 1681, Jonathan Gatchell was complained of by the selectmen of Marblehead on suspicion of being the father of the last child of Mary Williams, deceased, and he was bound to appear at the next Ipswich court, with Thomas Gatchell, as surety, who offered his house and land at Marblehead as security. Copy of the record made by B. Gedny,† assistant.

Petition, dated Dec. 1, 1681, of Samll. Ward,† for the selectmen of Marblehead: that the husband of Mary Williams disowned the child and the town had been threatened with the charge of the child, etc.

Copy of a record of the Ipswich court, Sept. 28, 1681, in a similar action, made by Robert Lord,† cleric.

Ellenoor Watts, aged about fifty years, testified that Jonathan Gatchell came to her house and bought some cider, saying it was for his landlady, Mary Williams, and if she would nurse his landlady he would pay for it, and also maintain the child. Gatchell said this in the hearing of her husband and Nicholas Pickett. Ruth Williams now has the child in her keeping, etc. Sworn, Aug. 5, 1681, before Moses Mavericke,† commissioner.

Ruth Williams and Elizabeth Smith testified that they heard Gatchell say the child was his. Sworn, 26 : 7 : 1681, before Bartho. Gidney,† assistant.

Bond, for appearance, dated Oct. 1, 1681, of Jonathan Gatchell,† with John Gatchell,† his father, and Joseph Gatchell,† as sureties. Wit: Robert Lord,† cler. and Robert Lord,† marshal.

Jno. Roads, Sarah Roades and Mary Wood testified that Elizabeth Smith told them that Gatchell asked her what

† Autograph.

Salem and Marblehead, for not maintaining the bridge at Forest river, were dismissed, and advised to agree among themselves.*

virtuals she invited him and his landlady to have and she replied it was samp. He said he went home with her through his father's meadow, etc. Elizabeth had given them milk and water one morning. Sworn, Sept. 6, 1681, before Bartho. Gidney,† assistant.

Jno. and Sarah Roades testified that Gatchell being at their house, etc. Sworn, Sept. 6, 1681, before Bartho. Gidney,† assistant.

*Copy of a record of Salem court, June 25, 1667, in a similar complaint, made by Hillyard Veren,† cleric.

Petition, dated Dec. 1, 1681, of Moses Mavericke,† Samll. Ward,† Ambros Gall,† John Peach, sr.,† and John Waldron,† selectmen of Marblehead: "Whereas the defect of the Bridge in the Countrey highway over Forrest river in Salem Towne bounds is presented to this Court as we understand, and the Towne of Salem would excuse themselves by endeavouring to lay the greatest part of the charge of maintaining the Bridge on Marblehead by vertue of too ready a condescension in former years in us to bear their part of the charge att the first setting it up; These are therefore to informe your honours that what what done by us, or ordered to be done, was when we had the benefit of the Coy-pond lands on this side of the river these lands being then by your Committee and us judged a part of our Towneship & that the bounds of our Towne came to the midle of the river; which bounds might they have bin continued, we should have still looked on our selves obliged to have maintained what fell in our Towneship: But since in the year 1679 themselves taking liberty to interprett the words of their owne grant, have taken the s^d Coy pond land from us, and sett us ouer about twenty poles distant from the sd Bridge. We doe humbly request your honours, that you would be pleased to take into consideration as the equity and justice of our case (this Bridge being no County bridge but a Towne bridge of their owne) so also the great ability of Salem to carry on their owne charge without helpe, and the poverty and disability of our place, and that you would be pleased either not to putt that burden on us to maintain a bridge and causeway no part whereof att all lyes in our Towneship, or else make it in our Towneship by granting us that Coy pond land which so long before we had enjoyed; Wee must leave the matter with yourselves, craving your releif, and have appointed and Impowred our

† Autograph.

John Norman, administrator of the estate of his mother Arabella Norman, deceased, brought in an inventory amounting to 104*li.* clear estate. Court ordered that said John Norman, the eldest son, should have a double portion, and the remainder was to be equally divided among the other children, Richard, Joseph, Liddea, Arabella and Martha.

Mr. William Hirst came into court and made oath that he left a hogshead of molasses in Mr. Bowditches warehouse in the latter's lifetime, as his own goods, in storage.

Mr. William Bowditch dying intestate, and administration upon his estate having been granted to Mr. Phillip Cromwell, who brought in an inventory,* court, upon being informed that the estate is insolvent, ordered that all creditors bring in their accounts to Leift. John Higginson and Mr. Jon. Hathorne, commissioners appointed to receive the claims, within a year, to have them allowed.

trusty Freinds Capt. Sam¹¹ Ward and Ensigne John Legg to manage the sd case for us."

*Inventory of the estate of William Bowdish, taken Nov. 12, 1681, by Edward Grove† and Nehemiah Willoughby†: In the Brewhouse, in puter Fourty wayt and a paire of Large puter Candlestick wth Sockets to um, 2*li.* 10*s.*; A paire Large Bras candlestike, two oakeme spoones, two nurs candlestike, one Gridiron, a saspan, 13*s.* 2*d.*; one Iron pot and two paire pot hookes, 7*s.*; Two bras kitle qt about forty pound, 2*li.* 10*s.*; one old bras scumer and one Iron spitt, 2*s.*; Two Iron hakes, fier shovell and a paire tongs and Iron hooke, 8*s.*; In the chamer over the bruhouse, Two trunks, ceder chest and a great cheare, 1*li.* 2*s.*; A box of Drawers, round table and a warming pan, 19*s.*; Fetherbed, bolster, pillar and a quilt and a paire curtins and vallens, 3*li.* 2*s.* 6*d.*; one hy bedsted, a trunell bed, Flockbed and a Red Kiverled, 1*li.*; Sixe old cheares and a Great Cheare, 7*s.* In the Closett, Eleven books called Rutherfords Letters, 1*li.* 2*s.*; twenty books of Durham on the commandements, 1*li.* 10*s.*; Five books of Mr. Rait against popery, 6*s.* 3*d.*; three books of William Colvill Works, 4*s.* 6*d.*; two books of George Downe Works, 2*s.* 6*d.*; one book of John Browne Workes, 1*s.* 6*d.*; one book of John Despaigne Workes, 1*s.*; two Bookes Meinlies against Dempster, 5*s.*; one large Latin bible, one Scretore, one cutlash & two Rapers, 2*li.* 6*s.*; In the Garrett, Sixty five Burmodus baskets, one nest of old Drawers & old

† Autograph.

Thomas Maule and his wife, presented for cruelly beating their maid servant, were dismissed.*

sadle and a frying pan, 2li. 11s. 4d.; a halvesided bedsted and old fetherbed & bolster wth a Red Coverlid, pr. canvis sheets, a table wth a carpet in Wm's. Chamber, 2li. 7s.; one old camlet coat, to pr. briches, one clos bodyed coat, old Caster hat, three musling neckclothes Last, and one lase carvat, three paire old holland sleeves, two old shurts, two old weskots, 2li. 8s.; one hhds. of mallases in a leanto neare the copper which Mr. Hurst dos lay claime two, —; one Maiden Sarvant, 1li.; five barells of strong Beers and Fifteene barells of ship beare, one pr. bras scales, 5li. 10s.; two hhds two Barrells mollasses about fifteene Bushells of mault all in ye seller & warehouse, 8li. 12s. 6d.; pcell of swine wereof ye 3 largest at 27s. & the 3 young shoates, 8s., 1li. 15s.; two old Horses and one old cart, 1li. 10s.; total, 44li. 13s. 3d. A pcell of children toyes, 2s. 6d.; two duzen 1-2 of old decayed gloves, 5s.; fivety eight French lines at 2s. pr. line, 5li. 16s.; Seven small bars of Lead and two halfe bars conten. one hundred & a halfe at 2s. pr., 1li. 10s.; five thousand of scupper nailes, 12s. 6d.; thre plates & two dishes erthen, 2s.; thre thousand of Lath nailes, 6s.; thre paire of small Irish yearne stockings, 2s. 6d.; one paire of Learge old stilliards, 18s.; a tackle hocke, pumpe hocke & two Iron bittle rings, 6s.; one old slead that is broken, 3s.; one beame and scales at winter lland, 1li. 10s.; thirty dozen of whissells, 10s.; twelve sett of cloake buttons, 12s.; small pcell of rusty nailes, 1s.; psell of mens houckes and eyes, 1s.; twenty pound of rossom, 2s.; pcell of old Junke cont. about 200 weight in Mr. Pilgrins warehouse, 10s.; pcell of very old junke that lies upon the wharfe cont. about 1C 1-2, 5s.; twenty eight pownd or theareabout of hopps, 7s.; aboute foure tunn of lime stones, 1li. 12s.; aboute two load of ceder Loggs, 16s.; five eights of a windmill at Marblehead, 20li.; total, 81li. 2s. 9d. one Ketch aboute twenty two tunns which is morgaged to Mr. Phillip Cromwell; one halfe Ketch aboute twenty two tunns which is morgaged to Mr. Phillip Cromwell, A ware house and Seller wth a leaneto to it and parte of the old wharfe which is morgaged to Mr. Phillip Cromwell. This inventory presented at the Salem court Dec. 1, 1681 by Phillipp Cromwell. Wit: Thos. Gardner, jr.,† John Cromwell.† There are severall Creditors to this estate by comon Fame which I know nothing of, being appointed administrator to sd. estate. Philip Cromwell.†

*Petition of Joane Suiflan, "a poore Irish servant woman,

† Autograph.

now bound unto Thomas Mawle, who hath bin euer since I liued with him and unto this Tyme is a cruell master unto me poore Creature, brought from another country & here destitute of any Friend to keep me in this my misery wch I endure in this my servitude especially with my master who hath many Tymes unreasonably beate me with an unlawful weapon to strike a Christian withall wch weapon is by the english called a maunatee || or hors whip || & with this weapon my master Mawle hath some tymes stroke me at least 30 or 40 blowes at a Tyme & that some tymes before my cloathes haue bin on about me. oh, honored Court, be pleased to consider of such an abuse to a poore creature. God knowes my life hath bin thereby endangered & haue after those violent & sharpe stripes, spitt blood for a fortnights tyme & verely thought my heart had bin broke & that I should haue died by his violent beating of me & doe still feare that if I am not taken away from this Cruell master he will kill me: your poore petitioner doth therefore most humbly beseech yo^r honors to consider ye case of so poore a servant that shee may be released from so cruell & barberous a servitude & putt to some other where she may be more Christian like: dealt with all.

"also my master Mawle hath compelled me to doe service worke on y^e sabbath dayes to ye breaking of ye day wch hath bin a greate grief & trouble to me & I doe desire that I may lue in a more orderly Family."

Joane Suifand, servant to Thomas Maule, testified that she had been compelled to knit and sew after she had come from meeting, and Maule frequently called Jonhnathan on Sabbath days to fetch the books. Then "hee writs in y^m and croseth in another & caules to Johnnathon to know what hee soald such a peece of Lase for and such a peece of Riben for or such & such things for & writs in his Book & alsoe compels mee & Johnnathon to fech water to wash & to brew on Sabbath Dayes." He also made her water his garden and lay his grass plot on the last Fast day.

Hannah Sibley deposed that she saw Joane as she came from Mr. Gedney's to make her complaint, and her face was bloody and swollen about as large as a child's fist. There was also a wound on her face, which she said her master did with his horse whip.

John Flint, aged about twenty years, deposed that being in Thomas Mawle's shop, he heard a great cry in the house and looking in saw Naomi Mawle beating and thumping her Irish servant maid on the head in a very violent manner and also kicking her. She kicked her out of doors and told her that when her master came home, he would give her ten times as much. When Naomi came out into the shop,

she said she had only struck her a light touch on the ear and now "shee is run roaring out in y^e streete."

Johnathan Flint, aged about sixteen years, being there at the same time and a servant in the house, testified to the same. He further testified that he had seen his master beat Joane unreasonably with a maunatee at least thirty or forty stripes.

Charles Phillips, aged about nineteen years, testified to the beating and he also had seen Naomi weeding her garden on the Lord's day.

Jonathan Flint, aged about sixteen years, deposed that Mawle frequently posted his books on Lord's days and compelled him and Joane Sulland to do servile work on Lord's days, as drawing water to brew the next day and to wash. Sworn in court.

Frances Croade, aged about fifty years, deposed that on the next day after the beating, she and Sarah Cole asked Mawle why he beat his maid so cruelly and would not sell her away, and he answered because she was a good servant. A day or two after deponent and Lucretia Derby went to Mawle's with a man who would have bought the maid. She often complained to deponent that she was afraid of her life and often said if she should be killed deponent must be hanged for her because she did not complain to authority when asked by Joane. One time she came into the street with a big hole in her face where her master had beaten her and in pity deponent went along with her to Mr. Gedney, yet Mawle still continues to beat and kick her. "he is knowne to be a greate lyar & a contentious person amongst his neighbors reviling & backbiting of them. once when he had so cruelly beate y^e said maid I spoke to him about it. sayes Thomas Mawle to me, I lockt y^e doore for feare thou shouldest haue come in to disturb me. This I doe not giue in out of spite or revenge. let him be as bad as he is, but in conscience & pitty to a poore Creature so abused." She had also seen Naomi transplanting plants on the Lord's day and on the last Fast day saw her sewing as she sat at her door.

Lucretia Derby testified that when she brought a man to Maule to buy Joane, Maule said she was a good servant and they would sooner have her than deponent and asked deponent what she had to do with her. She answered that "shee was a Stranger & my fellow Creture, seeing her soe much wronged," and if she were able she would go to a magistrate, but her present condition would not permit her. Mawle was a very disturbing person among his neighbors and employed himself much in writing papers of lies. On a first day about three o'clock in the afternoon he came to deponent's house with a paper of lies or a libel and said his business was

to read that paper there which deponent considered a profanation of the day.

Sarah Cole, aged about thirty-six years, testified that the shoulders of the Irish maid were all black and blue and she told deponent that it was a great deal worse down lower on her body.

Thomas Deane and Jonathan Flint deposed.

Prosilah Hoon, aged about thirty years, testified that having occasion to go often to Maule's house, she had never seen them abuse their servants and had always given them plenty of bread, butter, cheese, milk, beef, pork and other good things. Joane had used much provoking language and was a most wicked servant for inventing lies and repeating what her master and mistress said in their family. What had been testified against the Maules was from prejudice and malice. Sworn, Dec. 1, 1681, before Bartho. Gedney,* assistant.

Abraham Brigges, aged about thirty years, testified that being at Maule's house when they were at dinner or supper they had very good victuals. After Maule and his wife had finished, the servants and children sat down to the same diet, etc.

Bill of cost of Francis Nurse against Thomas Mawle, for breach of the Sabbath, 16s.

Presilah Hoon, aged thirty years, testified that the Irish maid came crying to her and said that her master was selling her to his brother in Lin. Deponent told her it was a good place, but the maid replied she "wanted for nothing hear and doe you thinck I can loue my misteris and her childdren and the hous soe long as I want nothing noe I will not goe though hee throst me out of the dore I will com in again." Sworn, Dec. 1, 1681, before Bartho. Gedney,* assistant.

Sarah Linseay, aged about thirty years, testified that she asked the Irish maid about going to the public meeting and she replied that "it was a develish place for thay did not goe to mast and what suld she doe there for shee was resolved to stay out her time with her master and misteris and then goe whome to her one contry againe wher shee mit goe to mast." Sworn in court.

Elezabeth Deene, aged about forty years, testified that she lived almost adjoining the Maules and had never heard nor seen any abuse of their servants. Sworn, Dec. 1, 1681, before Bartho. Gidney,* assistant.

Joseph Horne, constable, testified that he had a warrant from Magistrate Gidney to bring the Irish maid to him upon Maule's complaint that she had stolen money from his house,

*Autograph.

Tho. Maule, presented for profaning the Sabbath, was fined.

Andrew Tucker, presented for suffering disorder in his house, also for selling drink contrary to law, was fined.*

Mary, wife of Andrew Tucker, for abusing Leonard Belringer, was fined.*

he having found money in her keeping. She told the magistrate that she brought forty shillings with her from her own country, and that somebody in the town kept it for her. It was New England money that Maule lost and the same coin was found in her possession. Mr. Gidney sent deponent with her to get the money and she took him to John Tonner's cellar, where she said she put it in the wall but it was not there. They returned to Mr. Gidney who asked her why she would lie so abominably and told her to tell the truth or she would suffer severely. Then she said Elizabeth Deen gave it to her, which Elizabeth denied, and finally upon sentence of whipping, the maid said she found the money in Maule's yard. Sworn in court.

Thomas Maule's testimony concerning the character of the witnesses against him. Jonathan Flint was for a time his apprentice and he had delivered goods and taken money without giving any account, and had collected bills without returning the money. Richard Croad's house was almost adjoining Maule's. About a year ago he bought the Irish maid of John Tornor for 9d. in money. "She could not speck one word of Inglesh as I can remember thred bare of clouing and of bad caredg in langedg soe far as I understood her in Irish whee haue all wayes prouided well for her and haue mad a indifarant shift with her though with much trubell which now a late understanding the ingles tong and as wee aprehend by euell counsell wee could not get her to doe any more or les then as shee plesed to doe it acording to her one way and time and in her words when we commanded her sperit is such as to call roge dorg gade carem deuell and two cry wee lied with much more abussed words," etc.

Daniell Webb, aged thirty years, testified that Joan Shulavan struck her mistress, etc.

*Bill of cost of John Searle, constable of Marblehead Neck, 1li. 2s.

Rebecah Allen, aged about twenty-eight years, testified that being at Andrew Tucker's house three or four days after the difference between Tucker's wife and Bellringer, another man being present said to Bellringer that he heard that Good-wife Tucker had broken his head. Bellringer replied that

she had given him abuse but had not broken his head; Tho. Henloe, Goodman Pedrick's servant, broke it, and Tucker's wife and Bellringer forgave each other and became good friends. Robert Palmer, aged twenty years, testified. Sworn in court.

Robert Palmer deposed that Leonard Bellringer came into Tucker's house about two months ago, when Tucker was away, and demanded of his wife half a pint of liquor. She told him that he did not need it for he had had drink enough already. Upon this Bellringer uttered a great many scurrilous words so that she ordered him out of the house. Ann Gilbert, aged twenty-two years, testified to the same. Sworn in court.

Thomas Henley testified that he was present during the fray at William Vening's house and saw Meary, wife of Andrew Tucker, strike Belringer and deponent carried him out of doors. She came out and took him by the hair of his head and pulled him to the ground upon the stones that paved the yard, beating his head upon the stones until Anna Gilberd bade deponent take Bellringer away before her dame killed him. Sworn in court.

Ann Gilbert testified that three months since several men came ashore after sun down on a Sabbath day to get water at Andrew Tucker's pump and they came into the house asking for a cup of drink, which they had. Meanwhile the tide overflowed their boat and they were forced to stay all night. Robert Palmer testified to the same. Sworn in court.

Complaint of John Searle,* constable, living on Marblehead Neck, who upon being informed of this outrage could do no less than report so great disorder.

William Vening, aged about thirty-two years, deposed that Linard Bellringer was in his house preparing to go to supper when Mary Tucker came in, etc. Jone, wife of deponent, deposed the same. Sworn in court.

Jone Maning, aged about twenty-two years, testified that in defending himself Bellringer tore off a piece of the lace of Mary Tucker's cap. Sworn in court.

Mary Searle, aged about twenty years, deposed that hearing the fray she ran out of her house and saw Mary Tucker pulling out Bellringer's hair and was about to put it in her pocket. Deponent told her that she was not acting like a Christian to pull a man's hair off, whereupon she flung the hair away. Sworn in court.

Andrew Tucker of Marblehead was presented for excessive drinking in his house in the night, making great disturbance, throwing fire brands, etc.

* Autograph.

John Newhall was bound for Mary Hood's appearance for fornication at the next Ipswich court.*

Samuell Hart was bound for the appearance of his daughter, Abigaile, for fornication, at the next Ipswich court.†

John Pearce, presented for frequently absenting himself from the public ordinances, was fined.

In answer to a petition of Will. Dodg for a division of a settlement of the estate of John Balch, deceased, alleging that there was some inequality in a former distribution by misinformation to the Ipswich court, court ordered all concerned to appear at the next Ipswich court.

Mr. Harlackendine Symonds and Mr. Daniell Epps, administrators of the estate of Samuell Symonds, deceased, presented an account of the debts and legacies, and the first and second inventories were ordered to be kept on file.‡

* Mary Hoode of Lynn, unmarried, was presented for having a child.

† Abigall Hartt of Lynn, unmarried, was presented for having a child.

Warrant, dated 20 : 9 : 1681, addressed to the constables of Topsfeild and Lin, for the apprehending of Daniell Jencks, upon complaint of Samuell Hart, for being the father of his daughter Abigail's child, signed by Bartho. Gedney, § assistant, and served by John Moor, § constable of Lyn, who returned that on the second day after date, "said Jynks was mett with upon the roade about a wading Riuer."

Summons, dated 30 : 9 : 1681, for the appearance of Mary Hoode and Abigaile Hart, signed by Hilliard Veren, § cleric, and served by Joseph Collins, § constable of Lyn, who returned that neither were well enough to appear.

‡ Peter Duncan, aged about fifty years, deposed that about seven months after the death of the Worshipful Samuell Symonds, Esq., he demanded of Mr. Wm. Symonds, the executor, the 8li. legacy due deponent's wife, but he refused to pay it.

Daniel Epps, sr., deposed that he also asked Wm. Symonds to pay it to Duncan, but he refused. Sworn, 30 : 9 : 1680, at Salem court.

Account rendered by the administrators, Daniell Epps § and Har. Symonds § Nov. 19, 1681, at Salem court: Dr., to our father's funll. expences, 3li. 9s. in money pd. at Boston; small debts and legacies pd. at Ipswich, 7li. 12s. 9d.; remained

§ Autograph.

due to our mother, 20li.; to a horse lent my brother Samll. Symonds p my fathers orders, to ride to Boston, wch horse died at Winnesynment in yt Journey 16 or 17 yrs. agoe, 22li.; due Mr. Martyn p Legacie & Debt, 105li.; to Danll. Epps, sr., 108li.; to Mr. Jno. Emersin, 88li.; to Mr. Thomas Baker, 58li.; to ye Farm Argilla being destitute of all kind of grain I Danll. Epps, sr., supplied the same wth puissions seed & corn ye first year & 3 loads of hay in all, 20li. 6s. 9d.; to John Woodins service being an Apprentice, his clothing according to Covnt. & also 4 months & 2 weeks work, 23li. 10s.; necessary expences for carrying on affairs in puissions & small Legacies to Rebek. Stacy & Debt to our Mother out of that wch. was the common stock amongst us, 32li. 2s. 10 1-2d.; to workmen yt I sd. Danll. Epes, sr., procured & payd for at Argilla y^e last year; to 2 loads of hay p sd Epes to Argilla this year, 1li. 10s.; to Mr. Duncan's legacy, 1li. due to him p will of Samll. Symonds, jr., and part of his 8li., 5li. 9s.; to Caution money at Genll. Court in 79, 15li. 12s. 6d.; to Robert Lord for extending ye first execution, 2li.; to marshall Genll. John Green for extending last execution, 2li.; time sd. Epes spent about ordering affayres in Argilla & paying workmans wages these 2 last years, 10li.; to puissions that sd. Epes supplied this year at Argilla, 2li. 4s. 10d., to fencing, plowing, planting, howing, mowing, hay making & other work, 11li. 1s. 11d.; Interest of the Stock, Tackling & for plows, carts &c. & houshold goods for one year, 12li.; charges expended in money upon the prosecution of the case referring to Argilla occasioned by Mr. Wade since Oct., 1679, 33li. 4s. 10d.; more charges last court at Boston, 2li. 19s.; to 117 days for myself and horse, 11li. 14s.; to my mother Symonds for her man's work she finding all things needed for him, 16li., and 5 bush. of wheat, 1li. 5s., oats for her use, 20s., 18li. 5s.; to Harlakind. Sym. for him & wife working up the farm one year in 1679-80 in order to ye pformance of our fath. will, 16li.; Msis. Symds, for her man's meat, drink, clothing & work for this year, 17li.; to Harlak Symonds & wife for this year, 16li.; total, 668li. 10s. 3 1-2d. Per contra, Cr.: by Cattell & goods according to apprizmt. taken amongst ye four Legatees, Nov. 12, 1679, All which were left upon the farm to supply all necessary occasions in order to ye fullfilling our fathers will & pforming duties therin, 132li. 19s. 6d.; Jan. 30, 1679, took into possession 35 Acres of land by us Harlak. Symonds & Danll. Epes p consent or order from Richard Martyn, Administrators at 5li. p Acre upon comon acct. w^{ch} we sould to Edward Bragg, wch land was esteemed the most unprofitable upon the whole farm, 175li.; By sould unto mr. Jno. Emerson eight Acres of land next adjoyning to sd Brigg's at 5li. p Acre upon comon acct. as part of his Leg-

acie, 40li.; Sould to Mr. Thomas Baker 4 acres as afforesd. as part of his legacie, 20li.; By 8 Acres of meadow sould to Edward Bragg, wch. we sd. Administrators took at 5li. p acre, prized much above their value, 40li.; payd to Mr. Duncan, 3li. 11s.; by Cattell according to apprizement to Danll. Epes, sr., as I charged myself Debr. in ye Inventory but there was 10 sh. more then they were valued at, as apprd. wn. I came to speak wth those yt prized them, 22li. 10s.; swine, 9li. 10s.; ould goods charged to particular accts. of sd. Legatees, 25li. 18s. 3d.; by the whole Crop in 1680, 48li.; total, 517li. 8s. 9d.; balance of accts. of the estate is indebted, 151li. 1s. 6 1-2d. Mr. Harlakinden Symonds had received since Nov. 13, 1679, 27li. 19s. 2d., which he apprehends may be set off for the trouble & charges he hath been put to about his father's estate since the death of his brother Willm. Symond. Sworn, Dec. 3, 1681, before Nath. Saltonstall and Bartho. Gedney,* assistants.

An account, dated Nov. 24, 1680, of what Daniell Epps, sr.,* and Har. Symonds* found wanting of the estate of their father Deputy Governor Samuel Symonds, as may be seen by comparing the inventories taken by our brother Mr. William Symonds, executor, about the beginning of Nov., 1678, and that of Nov. 10, 1679, taken by themselves, with what Mr. Wade and our sister, Mrs. Mary Symonds, relict of William Symonds, hath had and disposed of from ye Farm Argilla: corne of all sorts of the growth of the yeare 1678, 70li.; paid unto Bother William by Killigreest Ross, 6li.; to old corn of of all sorts, 3li. 5s.; land sould of our Fathers at Towne by William to a saddler, 9li.; land sould unto Mr. Wade of ye same lott for halfe money & halfe wheat & mault as we understood by our Brother William, 40li.; silver plate, 10li. 10s.; cheeses of ye better sort, 5li. 5s.; sheep's wool, 75li., 5li. 2s.; cotten wooll wanting about 10s.; 3 tubs of Butter with two of ye tubbs, 3li. 19s.; syder & apples, 2li.; 50 Loades of hay, 37li.; 40li. of yarne, 4li., cattle, 18li.; sheep & Lambs, 38, 16li.; a steer sould to Isaack Fellowes, 3li. 10s., which our Brother William had ye pay for in corne, 3li. 10s.; the Cropp in the yeare 1679 which Mr. Wade & our sister Symonds had all away and left ye Farme whollie destitute which was upwards of fowre score pounds worth, 80li.; total, 314li. 1s. Now besides this acct. our sister Mary Symonds had all the benefitt of the Increase of all the Cattle & sheep, the benefitt of the Dayrie, the keeping what Cattle and sheep she had, vizt. 16 or 17 Lambs, 5 Calves sumer and winter, 3 or 4 coves the winter, 5 or 6 swine, two horses, the Drawing the wood she made use of, with the oxen we had of our Estate for the

* Autograph.

John Mascoll took the oath of freeman.

Nathaniel Ingerson had his former license renewed.

John Procter was licensed to draw beer and cider, and give entertainment to strangers.

Capt. Marshall and Goodman Edmonds had their licenses renewed.

Mr. John Gedney and Mr. Daniell King were allowed as taverners for Salem.

John Bullock, Ann Lake, Ellenor [Nell. — *Waste book*] Hollingworth were licensed as innholders for Salem for entertainment of horse and man, but not to draw wine.

Mr. [Richard. — *Waste book*] Rease and Mr. Legg were licensed to retail strongwater out of doors.

Whereas John [Joseph. — *Waste book*] Beasley, at a former Ipswich court, was disenabled for bearing of arms for some misdemeanor, court took off the sentence, and he was to bear arms and attend the military company where he lives, as formerly.

In answer to a petition of Abraham Ketvill, court ordered and advised that the accounts and concerns of the voyage and vessels between Abraham Ketvil and Andrew Tucker, be referred to Mr. Benjamin Browne and Mr. John Hathorne to audit and make up. They also advised that the parties buy or sell the ketch or vessel, if they do not otherwise agree.*

payment of our Legaceys which oxen Cowes and other Creatures & goods wee left upon ye Farme in order to the full-filling our fathers will as to all concerns, 20li. This last winter our sister Mary Symonds kept 4 Cowes 5 yearlings & vantage, two Calves, about 13 swine, one mare, about 12 or 13 sheep, all the cattle, mare and two oxen shee kept upon ye farm this last sumer about 6 shoats raised this sumer and most of her wood carried by our team, 25li.

*Petition of Abraham Kitvill† of Jarsay: "being halfe owner of the Catch aduventure with Andrew Tucker whoe now Goe to sea this winter A fishing in a boot of Marblehead and your poor petitionner whoe is a stranger that Cannot liue to remaine a shoer he and his halfe of the Catch your petitionner haue Desired seuerall aneest men for to desier and persuade y^e said Tucker to put in a man with your petionner for to seeke for a freat and to nauigat y^e said Catch Aduventure Or els that he should Consent y^t your petitionner whoe is

† Autograph.

Capt. Daniell Pearce, Mr. Nicholas Noyce and Sergt. Tristram Coffin were allowed as commissioners of small causes for Newbury for the ensuing year.*

Return of criminal cases heard and determined by B. Gedney, and returned, 29 : 9 : 1681, to Salem court: June 22, 1680, Jonathan Gatch fined for breach of the peace; July 16, Elizabeth Fulford, Samuell Hardy, Thomas Parloe and Christopher Reade, for disorderly company keeping and drinking on Saturday, the tythingman who prosecuted having his third of the fine; July 21, Jacob Pudeater, for drunkenness; 6 : 7 : 1680, Isaack Pudeater, for profane swearing; 20 : 1 : 1680-81, James Smith, for drunkenness; Apr. 21, 1681, John Best, for breach of the law in currying insufficient leather; July 27, 1681, Charity Alford, for drunkenness; 24 : 8 : 1681, Richard Woodroth and Clark, for theft; John Williams and his wife, for drunkenness; Steeven James, for being disguised with drink; total fines, 4li. 12s. 6d.; paid to Marshall Skerry by Jonathan Gatchell, 10s.; pd. Marshall Skerry by Jon. Best, 3s. 6d.; pd. the Marshall Skerry by Jacob Pudeater, 10s.; pd. ye marshall by Williams and his wife, 15s.; for

part of an artis: should navigate the said Catch and seek for fraite and your petitioner Can haue a freat at this time If the said Tucker wood Consent to it whoe say that he will keepe y^e said Catch ashoer this winter. The said Tucker wil not neither by nor sel nor agree in noe way and your petitioner haue proferd 20 shelins or woold take 20 shelins to y^e said Tucker to buy or sell whoe will not doe niether one nor tother but will keep your petitionner and his halfe of the Catch ashoer this winter apurpus to ruinate your poor petitionner whoe Cannot liue without working which Can prooue This to be true. May it plaise this honorable Coort to order aither to buy or sell according to the Custome of the Countray or els that the said Catch shalbe sold to he that shall giue most and as your honners are the nursing fathers of this Common welth wil not see your poor petitionner a Bused but to order the matter soe to your poor petitionner releaf."

*Joseph Pike,† constable of Newbury, returned the names of Capt. Danell Peirce, Mr. Nichollas Noyes, sr., and Sergeant Tristram Coffin, as having been chosen, Nov. 28, 1681, by the freemen of Newbury.

† Autograph.

chaines & Irons by the prison, 13s.; mending the prison, 3s.; paid Mr. Daniell Kinge in money, 20s.; pd. mr. John Gedney, sr., money, 18s.; total, 4li. 12s. 6d.

The verdict of the jury of inquest upon the death of John Cole was brought into court.*

The verdict of the jury of inquest upon the death of Thomas Bearns was brought into court.†

Whereas Samuell Apleton, sr., and John Whipple, sr., were appointed by the last Ipswich court to settle the estate belonging to John Solart, jr., from the land in possession of Ezekieel Woodward, the latter, with Isaack Hull, having left it to the court, and having had a meeting at Woodward's house on 8 : 9 : 1681, they agreed that the house and land on the way to the house, "with fouer acres of land, and halfe adjoyning to the way up to the house being fue rod at the contry Roade, being laid out, with the house & building, bee

*Return of a jury of inquest, Jonathan Woodman,† Hugh March,† Stephen Grenlefe, sr.,† Wm. Chandler,† D. Dauison,† John Atkinson,† Benjamin Ro—,† John Toocker,† James Browne,† Caleb Powell,† Peeter Godferi† and Henry Lunt,† dated Nov. 1, 1681, summoned by Joseph Pike, constable of Newbury, upon the death of one John Cole, that "upon the last day of October last at seuen of y^e Clocke In the euening, The said Jn^o Cole left a Skift in w^{ch} he was (wth his tow mates Intending to goe on board of a Shalope to w^{ch} he did belong) but missing of the Same went to Some Shoare and afterwards attempting to goe one Board by Reason of y^e Cold & wett and wanting of Releafe Perished and found dead upon y^e flatts the first day of Nouembr 1681," according to information from the two mates, John Poore and Zachery Sautly. Sworn, Nov. 22 and Nov. 26, 1681, before Nath. Saltonstall,† assistant. Mr. Jno. Dole also attended the inquest and agreed to the verdict. Sworn, Nov. 22, 1681, before Nath. Saltonstall,† assistant.

†Return of a jury of inquest, Moses Mavericke,† Samll. Ward,† Thomas Pittman,† Ambros Gall,† Mathew Clark,† John Merrett,† George Oake,† Ephraim Sandin,† Willam Beckly,† James Stillson,† Henerie Curtis† and John Curtis,† dated Marblehead, Oct. 7, 1681, summoned by Benjeman Gall, constable, upon the untimely death of Thomas Baerns, that he fell out of a boat into the sea, and not being able to swim ashore, was drowned.

† Autograph.

one share; And there being left fourteen acres more or less be the other share, the which as the said Hull hath giuen free liberty, soe the said Woodward hath made his choyce of that share where now the houses stand: and the said Hull is to pay to Goodman Woodward fouer pound ten shillings or one hundred & fourteene rod of land, out of his share of land, that is his, next to Goodman Woodwards, which the sd Woodward please to haue, And in the said settlement wee haue had respect to the sum setled by the court to John Solart Jun^r: as alsoe to what the said woodward hath paid which is 9^{li} out of the 84^{li} which brings the eighty fouer to 75^{li} & 3^{li} for rent aded to 75^{li} makes the total to be 78^{li}." This return was allowed.*

Hon. Majr. Daniell Denison in the time of this court paid Mr. King 3li. 10s. in money, and on 14 : 12 : 1681, he paid him "as he came through this towne to goe to the Generall Court," 50s. in money.

Eleazer Giles' fine was remitted.

Allowed the servants of Mr. King's house, 12s.

*Original return of the committee, 8 : 9 : 1681, by Samll. Appleton, sr.,† and John Whipple, sr.†

Isaac Hull's† petition, Sept. 30, 1681: "Whereas Ezekiel Woodward hath made a proposition to Isaack Hull with Respect to his portion where it shall be sett out of Jno. Solart senr his estate what Isaack Hull shall haue of that estate although the sd Isack hath recouered the Land set out: yet the sd Isaack is willing to take out of that estate what an eldest son ought to haue not the greatest pt. of his portion In Decayd buildings & a decayed orchard but willing to take half agst all the rest of the children In the buildings & the rest of his portion in Land Joyneing to it: with what he ought to haue for the use of his portion: & what he ought to haue for his part in Josephs portion In land; with the present chardges given for Rent past: howeuer the sd Isaack is willing to leaue his portion to be set out the by psent Court of Assistants haueing respect to his claime in the said estate of Jno. Solart senr. deceased only the s^d Hull expects the Courts Chardges given him now."

Ezekiell Woodward† certified, 30 : 7 : 1681, that he would leave it to the court to determine the claim of Isack Hull, husband of Sarah, the relict of John Solart, deceased.

† Autograph.

Joseph Pickworth, administrator of the estate of John Pickworth, brought in an inventory.* Court ordered that Ann, widow and mother of deceased, have one third, said Joseph, another third, and that the other third be divided between the two sisters of John, Ruth Masters and Rachell Sibley. The other estate in reversion left him by his father was to go to his mother, Ann Pickworth, during her life, and after her death to be disposed of according to the will of the father, John Pickworth, the elder, deceased.

Richard Friend dying intestate, administration of his estate was granted to William Curtice, his father-in-law and an inventory,† sworn to by the widow and amounting to 7li. 18s. 6d., was brought in.

The widow of Daniell Crocker, who died intestate, presented an inventory‡ of his estate, amounting to 19s. 9d.

*Inventory of the estate of John Pickworth, taken Nov. 28, 1681, by Samuell Leach§ and Walter Fayerfield:§ tenn Acers of Land, 10li., about 3 acors & 1-2 of land at hom, 10li., 20li.; land at Kittill Cove, 2li., sawmill Iron work, 2li., 4li.; coate, 2 paier of briechees, an old dubbliit and an old cloake, 3li. 8s.; hatt, two shirts, gloves, bands, neckcloths & stokins, 1li. 15s.; a paire of shose, 3s., two puter platters & a quart pott, 19s.; a chist, 5s., silver, 13li. 3s., 13li. 8s.; an ould chist & tools, old Iron, 20s., gun & Sord 20s., 2li.; four books, 12s., one blanket, 10s., on coverlitt, 39s., 3li. 1s.; Eight yerds of beed tikken, 16s., parregon, 6s., serge, 2s. 6d., 1li. 4s. 6d.; two yerds & 1-2 of serge, 6s., serge one yerd 3-4, 5s., stuff 3 yerds, 5s. 3d., 16s. 3d.; three Remnants of carsye containing 15 yerd & 3-4, 4li. 6d.; 7 yerds of homspunn cloth, 14s., doullice four yerds, 12s., 1li. 6s.; total, 55li. 18s. 3d.

†Inventory of the estate of Richard Freind, taken Dec. 1, 1681, by Tho. Mould§ and John Saunders:§ his wareing cloathes, 1li. 14s.; Beding, 1li. 5s., 2 chests, 8s., 1 Iron Kettle, 7s., 1li. 19s.; 5 Fishing lines, 15s., 4 Leds, 3s. 6d., 18s. 6d.; 14 Codd Hooks and 5 Mackrell hooks, 3s. 4d.; A Spliting Knife and A Marling Spike, 1s. 6d.; 1 Iron Pot, 4s., Earthen ware, 3s. 6d., 7s. 6d.; 5 glass Bottles, 2s., Peuter, 4s., 6s.; 1 Table, 3s., 5 chaires, 6s., a box, 1s., Bedsted, 5s., A flaskit, 1s. 6d., 6s. 6d.; A paile, 1s., mortar & pestel, 1s. 6d., 2s. 6d.; Due by severall Men, 2li. 2s.; total, 8li. 10s. 10d. His fishing voige which is not yet knowne. The estate is Debtor to Willm. Curtis, sr., 7li. 18s. 6d.

‡Inventory of the estate of Daniel Crocker, taken Nov.

§ Autograph.

Samuell Williams and Isaack Foott being desired by Timothy Lindall to appraise a very old house and an acre of land formerly belonging to Robert Starr, sr., deceased, with a few trees or a small orchard at one end of it, valued it at four score pounds.*

Court ordered Leift. John Higgenson and Mr. John Hathorne to divide this estate into three parts, for Robert Starr, jr., his brother Richard Starr and sister Susanna Starr, all the children of Robert Starr, sr., deceased. They were to lay out the share of Robert, the son, deceased, to Mr. Timothy Lindall, administrator of the estate of said Robert, jr.

John Beckett, sr., aged about fifty-seven years, testified that Thomas Hunter had a lot of ten acres on the Marblehead side which he had possessed several years, and after he died William Hunter, his own brother, had possession of it at least thirty-five years ago, as his brother's heir. Further that on the voyage on which Thomas died, both brothers, going in the same ship, agreed that if one died the other should enjoy his estate. Richard Hide, sr., and Frances Collens testified to the same. Sworn, June 12, 1682, before Bartholomew Gedney, assistant.

On June 19, 1682, John Chaplin acknowledged judgment to Mr. Timothy Lindall, before William Browne, Esq., and Bartholmew Gedney, Esq.

25, 1681, by John Voden and Richard Croade: an old bedstead and cord with a small straw Bed and ye Furniture being very old and bad, 10s.; an old Fryeing pan, hake & a crooke, 3s. 6d.; an old pewter platter and 2 old porringers, 1s. 6d.; 3 wooden Traves, 2 alcomy spoones & a small old pewter Cupp, 1s. 3d.; An old chest, 6 old Trenchars, 2 woodden dishes and an old brass kettle, 2s. 6d.; An old Tynn candlestick, an old barrell, glass bottle & 2 Jarrs old oyle Jarrs, 1s.; total, 19s. 9d. All his wearing apparrell he carried with him when he went last to sea.

*Samuell Williams† and Isack Foott,† being desired by Timo. Lindall to appraise a house and land formerly belonging to Robert Star, sr., deceased, have measured the land and "find to be near about an acer & a very old hous upon it & a few trees or small orchard att one end of it all wch we value at four score pounds."

† Autograph.

On 3 : 6 : 1682, Joseph Gannett acknowledged judgment to Edward Hoeman, before William Browne, Esq., and Bartholmew Gedney, Esq.

List of presentments, dated Nov. 30, 1681, signed by Nathaniel Putnam,* foreman of the grand jury:

Elisksander Grim of Salem, for being drunk or very much disguised with drink upon the Lord's day. Wit: Mary Maber and Hester Johnson.

Venire, dated 18 : 8 : 1681, for Salem, signed by Hilliard Veren,* cleric. Mr. John Pilgrim, Lt. John Pickering, Mr. Ben. Marston, Mr. Danl. Andrew, Ser. Jo. Leach, Mr. Nath. Beadle and Mr. Jo. Tawley, jury of trials; Mr. Francis Skery, Mr. Nath. Putnam, Mr. Wm. Trask, Mr. Christ. Babidge, Mr. James Symonds, Mr. Henry West and Mr. John Loomes, grand jury. Also summons to James Burne for profaning the Sabbath and excessive drinking, with Nathaniell Putnam, sr., and Joshua Rea, sr., as witnesses; also summons to Peeter Twist and Precilla Vinton, for fornication, and to the town of Salem, for not keeping in repair the bridge at Forrest river, with Samuella Eborne, sr., and John Homes as witnesses.

Venire, dated 18 : 8 : 1681, for Marblehead, signed by Hilliard Veren,* cleric, and served by Benjamin Gale,* constable, who returned the names of John Peach, jr., for the jury of trials, and Erosmus James for the grand jury. Also summons to Robert Cockes, for beating and abusing Joseph Booby and for swearing.

Venire, dated 18 : 8 : 1681, for Gloster, signed by Hilliard Veren,* cleric, and served by Thomas Riggs,* constable, who returned the name of William Griggs for the grand jury and James Davis for the jury of trials. Also summons to Nathaniell Somes, Abigaile Somes, John Pearce, jr., and Mary his wife, and the widow Mary Hamonds, for frequently absenting themselves from the public ordinances of God. "As for Abigall Somes she hath beenn in a distracted Condition about this 2 months and her brother Nathaniell hath been forced to make it his wholl Imployment to Loake after her and therfor I thought good to Lett you understand, Mr. Verin, that if they doe not appear at the Court you might give the honoured Courte to understand the reason of it."

Venire, dated 18 : 8 : 1681, for Lynn, signed by Hilliard Veren,* cleric, and served by Thomas Bancroft,* constable, who returned the names of Roberd Going, William Croft, Thomas Farrer and John Newhall, jr., for the grand jury, and Daniell Hichine, John Edmonds, Jacob Knight and John Ingolls for the jury of trials.

* Autograph.

Summons, dated 29 : 4 : 1681, to Ephraim Herick, for telling a pernicious lie, also to John Elliot as a witness against John Davis, in abusive carriages at Jon. Tawlie's, signed by Hilliard Veren,* cleric, and served by Jonathan Biles,* agent for Georg Standley, constable of Beverly, who returned that he notified Herick, but as for the other persons, "we know noe such in our Town."

Kathrin Patrick, aged about thirty-two years, deposed that being at Nahant sometime in June two years since in company with Heugh Ally and Rachell Winick, the two latter went aboard a sloop about twelve o'clock at night.

Willyam (his mark) Vinson, tythingman, and Wilyam (his mark) Griggs, both of Gloster, testified at Salem, June 28, 1681, that Nathanell Somes, Abegal Somes, John Peers, jr., and his wife and Marie Hamonds, all of Gloster, frequently absented themselves from the public ordinances of God.

Writ: Leift. John Putnam, attorney to Elias Trick v. William Cook; for entertaining or detaining the servant or apprentice of said Trick for more than one year's time; dated 14 : 9 : 1681; signed by Hilliard Veren,* for the court and town of Salem; and served by Henery Skerry,* marshal of Salem, by attachment of a sea chest and a great spinning wheel of defendant.

Edward Nichols, aged about twenty-eight years, deposed that Perse Angel's wife is married to Salathiel Bale, according to common report of the people in that place.

Philiep Nichols, aged about twenty years, deposed that they were married about five years ago, and while he lived with her they had several children. Sworn in court, 29 : 9 : 1681, before Hilliard Veren,* cleric.

Return of a jury of inquest, Zerobabel Endecott,* foreman, Nathanell Putnam,* Joshua Rea, sr.,* Jacob Barney,* Joseph Holton,* Joseph Hutchinson,* John Endecott,* Daniel Andrew,* Nathanill Ingersell,* Thomas Haynes,* Francis Gafford* and Jonathan Walcott,* dated Salem, July 25, 1681, upon the death of Thomas Whitecar, Mr. Israel Porter's servant, who was found dead in the corn field, that he died of the extreme heat of the sun, there being no sign of any injury on his body except on his face when he fell. All sworn, except Jacob Barney, Aug. 10, 1681, before Bartho. Gedney,* assistant.

Return of a jury of inquest, William Vinson, John Fitch, Steven Glover, James Sawyer, Tho. Prince, sr., Joseph Allen, Timothy Somes, Joseph Clarke, John Kettle, Henry Joslen, James Persons, Jefry Persons, jr., May 12, 1681, upon a man who was cast ashore near Starknaught harbor, that he was

* Autograph.

probably drowned and had been dead a pretty while, having been frozen. Sworn, June 28, 1681, by Tho. Riggs, constable of Cape Ann or Gloster, before Bartho. Gedney,* assistant.

Execution, dated 3:10:1681, against Peeter Murrell, to satisfy judgment granted Mr. John Higgenson, jr., 29:9:1681, at Salem court, signed by Hilliard Veren,* cleric, and served by Henery Skerry,* marshal, by attachment of the refuse fish which Constable Tapple had attached for this action.

Execution, dated Oct. 31, 1681, against Isaack Williams, to satisfy judgment granted Humfry Devorix, June 22, 1681, at Salem court, signed by Hilliard Veren,* cleric, and served by Henery Skerry,* marshal, who went to the dwelling house of said Williams and not finding him, took an order from Jerimy Neall that he would satisfy the execution on the second day of the next week.

Execution, dated July 2, 1681, against Thomas Ives and his servant Joseph Kemboll, to satisfy judgment granted Thomas Rayment, 28:4:1681, at Salem court, signed by Hilliard Veren,* cleric, and served by Henery Skerry,* marshal. Ives offered shoes as payment but the creditors demanded money, so both Ives and Kimball were committed to prison.

Execution, dated 17:7:1681, against Walter Fairefeild, executor of the will of John Sollart, jr., for rent in money or the parcel of land laid out to the executor by Thomas Fisk and Charles Gott, to satisfy judgment granted Isaack Hull, husband of Sarah, relict of John Sollart, jr., 30:9:1680, at Salem court, signed by Hilliard Veren,* cleric, and served by Henery Skerry,* marshal, who delivered the land by turf and twig, and told Woodward what he had done. Woodward said he cared not and would take no notice of it.

Execution, dated 26:2:1681, against Capt. James Smith, to satisfy judgment granted Mr. Edmund Batter, 4:12:1678, at a Salem commissioners' court, signed by Hilliard Veren,* cleric, and served by Henery Skerry,* who attached two cows, a brown and a black one, and delivered them to Micall Vowden to be kept for Mr. Batter's use.

Execution, dated 29:9:1681, against John Gatchell, sr., and Joseph Gatchell, to satisfy judgment granted the selectmen of Marblehead for keeping Ruth Williams' child, signed by Henery Skerry,* marshal.

Execution, dated Jan. 2, 1681, against John Gatchell, sr., and Joseph Gatchell, to satisfy judgment granted the county on forfeiture of a bond, 29:9:1681, at Salem court, signed by Hilliard Veren,* cleric, and served by Henery Skerry,* marshal.

* Autograph.

Execution, dated Jan. 2, 1681, against Jonathan Hart, to satisfy judgment granted John Peach, jr., 29 : 9 : 1681, at Salem court, signed by Hilliard Veren,* cleric, and served by Henery Skerry,* marshal, who sent the money by Mr. John Legge to give to his father-in-law Peach.

Execution, dated 2 : 10 : 1681, against Humphry Deverix, to satisfy judgment granted Isaack Williams, 29 : 9 : 1681, at Salem court, signed by Hilliard Veren,* cleric, and no return made.

Execution, dated 26 : 7 : 1681, against Thomas Mould, to satisfy judgment granted William Browne, Esq., 3 : 6 : 1680, by the commissioners of Salem, signed by Hilliard Veren,* cleric, and served by Henry Skerry,* marshal. "I payd to you fouer shillings I had for William Curties attachment."

Samuel Gardner's bill of cost, 6s.

Writ: The surveyors of the fence of the North field of Ipswich, by the selectmen, Thomas Lull, Symon Chapman and John Roper v. Samuell and Joseph Aires; for setting up or making new seven and a half rods of fence at 3s. per rod, which is part of 32 rods and 14 feet laid out by the committee chosen by the commoners of the North field, commonly called, on the north side of Ipswich town river, to settle the common fence to the proprietors which 32 rods is the proportion laid to 60 acres of land now in occupation of said Samuel and Joseph, with other lands belonging to Mr. William Norton; dated 19 : 3 : 1681; signed by Robert Lord,* for the selectmen of Ipswich; and served by Nathanell Rust,* constable of Ipswich. Phillip Fowler and Samuell Chapman were the appraisers. Another writ, for not making up their share of the fence, signed by Robert Lord,* and served by Nathanell Rust,* constable. "Those that are of the mynd that Barly & barley malt shall pas from man to man in this Town at the prise 4s. p bushel let them show it by ther usuall signe."

Richard Reede's bill of cost, for attendance upon John Pedrecke, 8s.

Writ of replevin, dated Mar. 24, 1680, for a brown heifer two years old and a black spotted sow distrained by Mr. Wilson for the selectmen, to be delivered to Samuel and Joseph Aires, signed by Daniel Denison,* and served by Robert Lord,* marshal of Ipswich.

Writ of attachment, dated Mar. 21, 1680-81, against Samuel and Joseph Ayres, tenants upon the land of Mr. William Norton, for not making up fence, etc., signed by Robert Lord,* clerk, and served by Theophilus Wilson,* constable of Ipswich.

* Autograph.

COURT HELD AT IPSWICH, MAR. 28, 1682.

Judges: Major Genrll Denison, Esq., Capt. Nathaniell Saltonstall, Esq., Bartholmew Gednye, Esq., and Major Appleton, Esq.

Jury of trials: Capt. John Whipple, Mr. Towsey, Nathaniell Emerson, Corprll. Tho. Clarke, Francis Browne, Abraham Addams, John Stickney, Thomas Pearly, Philip Greeley, John French, Robert Hasting and John Steevens.

John Woolcott v. John Atkinson. For withholding and refusing to deliver a mortgage. Verdict for plaintiff. The mortgage to be delivered or defendant to pay a fine of 100li. Appealed to the next Court of Assistants. Defendant bound, with John Webster and James Merrick as sureties.*

Bond to prosecute, dated Mar. 24, 1680-1, signed by Samuel Ayres,† Joseph Ayers† and Will. Norton.†

Theophilus Wilson's† account as keeper of the prison, for bringing Goodman Burne's servants from Rowly to Ipswich, 4s.; for the imprisonment of one of them and diet, 8s.; Thomas Loufel, ten days' work, 4s.; Phillip Fouler, two days' work, 4s.; diet to Mr. Gardner, 4s.; Benja. Felton, 8s. Samuell Brocklebanke and Jeremiah Elsworth engaged in behalf of Thomas Spoford and Ezekiel Sawyer to pay their charges.

Copy of a deed, dated 7 : 10 : 1658, given by Nathaniell Felton of Salem to John Freind of Salem, for 4li., twenty acres of land lying next to the land of John Scudder formerly, now the land of John Bachelor, and bordering on the common on Ryalls side. Wit: Phillip Cromwell and John Gedney. Acknowledged, 7 : 10 : 1658, before Wm. Hathorne. Copy made by Hilliard Veren,† recorder.

Summons, dated 28 : 9 : 1681, for the appearance of James Burne, for profaning the Sabbath and for excessive drinking, also Nathaniell Putnam, sr., and Joshua Rea as witnesses; also to Peeter Twist and Precilla Vinton, for fornication, and to Samuell Eborne, sr., and John Holmes as witnesses about the defect of the bridge at Forrest river, signed by Hilliard Veren,† cleric, and served by Uzal Wardell,† constable of Salem, who returned that the persons could not be found.

*Writ: John Woolcott, sr. v. John Atkinson; for withholding and refusing to deliver a mortgage of a parcel of land mortgaged to John Atkinson and John Knight, although the mortgage had been long since satisfied; dated Mar. 6, 1681-2;

† Autograph.

signed by Daniel Denison;* and served by Robert Lord,* marshal. Bond of John Atkinson.*

John Atkinson's bill of cost, 6s.

John Woolcot's bill of cost, 3li. 1s. 4d.

Tristram Coffin, aged fifty years, deposed that he had seen the mortgage deed in the hands of John Atkinson of Newbury, etc. Sworn in court.

John Woolcot, jr., and Joseph Woolcot testified that they saw the deed. Sworn in court.

Copy of mortgage deed, dated Apr. 27, 1675, from John Woolcot and wife Mary of Newbury, for 35li. 15s. in money, pork or barley to John Knight and John Atkinson of Newbury, "all my land & meddow on the north syde the little River neare the dwelling house of the sayd John Woolcot. . . bounded on the south syde by the little River, upon the east, bounded by land of James Smith bounded on the north, by land of Joshua Browne, bounded on the west by the Towne Common." Wit: John Acie and Robert Lord, marshal. Acknowledged, Mar. 6, 1681-2, before Daniel Denison, by John Woolcot, who affirmed that he had satisfied the mortgage within the time limit. Recorded, Mar. 21, 1681-2, among the records of lands for Essex, book 4, page 436, before Robert Lord,* recorder. John Knight acknowledged satisfaction for his part, June 24, 1675. Wit: Cutting Noyes and John Michell. Sworn, Mar. 28, 1682, before Robert Lord, cleric. John Atkinson, according to judgment of the Ipswich court and Court of Assistants in 1682, resigned his interest to John Woolcot, sr., Sept. 27, 1682, before Robert Lord,* cleric.

Deed, dated Dec. 3, 1675, from John Woolcot* of Newbury, with the consent of his wife Mary, for 25li. in money and 25li. in barley or pork, to John Atkinson of Newbury, 14 acres of meadow, swamp or lowland, bounded by a wall on the north corner, and running southerly on a straight line to an asp tree blown down in the corner of Woolcot's fence, so taking in all the lands on the westerly end that is fenced in with the fences, excepting one acre at the head of the meadow sold to John Knight, which land was formerly Mr. Milward's, which lay on both sides of little river. Wit: James Atkinson and Benjamin Plummer. Sworn by the witnesses, who saw possession given by turf and twig, Dec. 27, 1675, before Nath. Saltonstall,* commissioner.

John Woolcot, jr., aged twenty-one years, and Joseph Woolcot, aged eighteen years, testified that when their father John Woolcot and John Atkinson were upon the land the latter said that he paid very dear for it for he gave 70li. Their father said if it had not been for the redeeming of the mort-

* Autograph.

John Lampson, Samuell Lampson, Joseph Lampson and Nath. Lampson v. Anthony Potter. Nonsuited upon defect of the process.*

gage there was no man should have had the land. Atkinson said he gave 18li. on the mortgage and 50li. on the bill, and promised to give him a release of the mortgage when he came that way again. Sworn in court.

John Woolcot and Joseph Woolcot further testified that Adkesson came to their father's house in April, 1676, and desired the latter to run the line because while he knew the corner bounds he did not know the line "over athwart" the land. So they all went and cut the boughs that they might see athwart the land and agreed upon the line, etc. Sworn in court.

Henry Jaques, aged sixty-three years, deposed that Atkinson said that Woolcott had taken away the posts and rails, etc. Sworn, Mar. 6, 1681-2, before Daniel Denison.†

Matthew Pettingell, aged about thirty-three years, deposed that Atkinson said he kept the mortgage deed to pay Woolcot for taking down the fence, etc. Sworn, Mar. 6, 1681-2, before Daniel Denison.†

Tristram Coffin, aged fifty years, deposed that John Atkinson went to him for advice and he told him that Woolcot had cleared the mortgage long ago and he should not make use of any trick in law to wrong Woolcot. Deponent asked him why he attempted such a dishonest proceeding and he said that Woolcot had played the knave with him and he would have satisfaction, etc. Sworn, Mar. 6, 1681-2, before Daniel Denison.†

*Anthony Potter's bill of cost, 9s. 6d.

Copy of papers in this action in Ipswich court, Mar. 29, 1659, and Salem court, 11 : 10 : 1661.

Copy of an inventory of the estate of William Lampson of Ipswich, taken Feb. 11, 1658, by William Goodhue and Robert Lord: the house and ground about it, 40li.; two acres of marsh, 4li.; two steares, 8li. 10s.; cow and heifer of 2 year, 6li.; 6 Goates, 3li.; a sow and five shotes, 3li.; two kettles, 3li.; 3 Iron potts & 1 Iron skillett, 2li. 5s.; two bras skilletts, 9s.; a bras mortar, 5s. 6d.; warming pan, 9s.; 7 pewter dishes, 1li. 7s.; chamber pott, 3 poringers & a pint pot, 5s.; candle stick, 3s.; dozen occumy spoones & 1 dozen of pewter, 8s.; lamp, smoothing Iron & other small things, 12s.; 1 keelar, powdering tub, bucking tub, paile & some other Lumber, 14s.; sithes, beetle and wedges & sickles, 1li. 7s.; Axes & other tooles, 1li. 12s.; spad, shovel & Hows, 7s. 6d.; wheelles

† Autograph.

Joseph Flecher, in behalf of John March and Jemina his wife v. Hugh March, sr. Special verdict. If the acquittance in the deed released defendant from his promise upon marriage to Joseph Flecher on behalf of John March, they found for defendant; if not, they found for plaintiff, 132li. Court gave judgment for defendant. Appealed to the next Court of Assistants. Plaintiff bound, with Caleb Moody and Joseph Baily as sureties.*

and cords, 15s.; 2 old chests & a box, 10s.; wheat threshed & unthreshed, 32 bush., 7li. 4s.; Indian corne, 5li.; Tumbrill wheeles, plow, 3li. 5s.; nayles, 1li.; bookes, 1li.; one old bedsted & trundlebed, 10s.; 2 old chaires & formes, 4s.; wearing apparell, 6li.; sword & belt, 6s. 8d.; sives & earthen ware, 8s.; featherbed & 2 bolsters, 3li. 10s.; one bed & other bedding, 3li. 10s.; 3 pr. of sheetes, 3 little pillows, & pillobeers, 2li. 12s.; cotton woole & 1li. sheepe woole, 8s. 6d.; new cloth, 2li. 10s.; sack & bagg, 5s. 6d.; tobacco, 5s.; bacon 10s.; hemp & flax tow, 10s.; debts owing to him, 7li.; total, 124li. 17s. 2d.; debts owed to others, 13li. 7s.

The children left were four sons and four daughters, the eldest son, 16 years old last November, the eldest daughter 14 years, the second son 9 years 3-4, second daughter 7 years, third daughter 5 1-2 years, fourth daughter 4 years, third son 2 years last November, youngest son 24 weeks. Copy made by Robert Lord,† cleric.

*Writ: Joseph Fletcher of Salisbury, in behalf of John March and Jemima, his wife, daughter of Joseph's wife v. Hugh March, sr.; for not delivering 132li. to John or to Joseph for John according to agreement between said Fletcher and Hugh March, sr., the latter promising to give to his son John March upon his marriage twice as much as Fletcher was to give his daughter Jemima, which had been already given to the amount of 66li.; dated Feb. 27, 1681; signed by Nath. Saltonstall,† assistant; and served by Joseph Pike,† constable of Newbury, by attachment of house, land, beds, furniture, linen, tubs, pewter, brass and other utensils of Hugh March, sr.

Joseph Fletcher's bill of cost, 2li. 14s. 8d.

John March and Jemima Trew were married Oct. 1, 1679. Copy from the register book of Newbury by Anthony Somerby,† clerk for Newbury.

Receipt, dated June 10, 1680, given by John March† to his father-in-law Joseph Fletcher, for 29li., 11li. in money and 18li. in goods. Wit: Mary Fletcher.† Sworn, 28 : 1 : 1682, before Nath. Saltonstall,† assistant.

† Autograph.

Bill of cost, of Hugh March, sr., 19s.

Moses Gerrish, aged about twenty-six years, deposed that two years ago speaking with Hugh March, sr., of Newbury, he said that old Fletcher had promised to divide the estate between the two daughters and that he would give two pence for every penny Fletcher gave his daughter. Sworn, Jan. 28, 1681, before N. Saltonstall,* assistant.

Receipt, dated Jan. 25, 1681, given by John Marsh,* to his father Joseph Flecher of Salisbury, for 37li., in a feather bed, bolster and bedding at 10li. 10s., peuter platters, 10s., two oxen, 7li., four cows, 12li., four sheep, 1li., two three year old steers and one three year old heifer, 6li., in part of his wife's portion. Wit: Henery Browne* and Ephraim Winsley.* Sworn by the witnesses, Jan. 28, 1681, before Nath. Saltonstall,* assistant.

Moses Gerrish, aged about twenty-six years, testified. Sworn, Jan. 28, 1681, before N. Saltonstall,* assistant.

Willm. Noyes, aged about twenty-eight years, testified. Sworn, Jan. 28, 1681, before N. Saltonstall,* assistant.

Robert Lord, marshal, aged about fifty years, deposed concerning Hugh March coming to his house to get him to serve the attachment on his son John at Newbury, for he did not dare trust the constable with it. Deponent said he would do so if he were well and able to go on the next second day. Sworn in court.

Joseph Flecher, Israell Flecher and Caleb Moody deposed. Sworn, Jan. 28, 1681, before Nath. Saltonstall,* assistant.

Jno. Allin deposed that he was at Hugh March's house at Newbury the day after his son was married, etc. Henry True testified. Sworn, Jan. 28, 1681, before Nath. Saltonstall,* assistant.

Tristram Coffin, aged fifty years, deposed that Hugh March asked him to go to his son John March and be instrumental in getting John to give up possession of the house and land which had been conveyed to him by deed, with the condition that upon non-payment of rent, the estate was to return to Hugh, sr. Deponent was to get it peaceably if possible and if John would not let him re-enter in a loving way, he was to send for the marshal and take it by force. On Saturday, Jan. 28, said Hugh took possession by his son going out of the house and delivering the keys to him. John also paid his father 18s. 6d. in money for a porringer that was lost. Henry True deposed. Sworn in court.

Tristram Coffin testified that he heard Fletcher demand of Hugh March what he would give, etc. Sworn in court.

Deed, dated Jan. 21, 1679, from Hugh March, sr., of New-

* Autograph.

John Cromwell v. Nicholas Bartlett. Debt. Verdict for plaintiff.*

berry to his son John March of Newberry, his now dwelling house in Newbury with land and the great marsh lot at Plum Island, also six beds, furniture, brass, pewter, the furnace, brewing vessels and all utensils of housekeeping, reserving during his life the old parlor, with the chamber over it, and the parcel of land lying to the street before the old house and between the shop and new house, also reserving liberty to use the middle room and the well when he so desired, and to dispose of one of the six beds at his decease, and also reserving a parcel of land behind the barn fronting to the street between a stake set up for determining the land of Hugh March, jr., and another stake showing the land of John March, said land being 72 feet between the stakes and of that breadth running back into the lot 118 feet in length adjoining Mr. Tho. Woodbridge's fence. Said John was to pay his father 18li. yearly during the latter's life, in money, malt or corn, and at said Hugh's death, he was to pay 100li. to the beneficiaries of his father's estate within two years, in neat cattle, bulls excepted, not over seven years old, English and Indian corn, and sheep to the value of not more than 5li. John was also given half of his freehold rights, whether one or two. Wit: Timothy Woodbridge and Anne Woodbridge. Acknowledged, Feb. 8, 1679, before John Woodbridge, commissioner. Recorded, Mar. 15, 1679-80, in the records of lands for Essex, book 4, page 309, by Robert Lord,† recorder.

Deeds, duplicate of the foregoing, signed by John March.† Wit: Timothy Woodbridge† and Anne Woodbridge.† Acknowledged, Feb. 7, 1679, before Jo. Woodbridge,† commissioner. Recorded, June 21, 1680, in the record of lands for Essex at Ipswich, book 4, page 242, by Robert Lord,† recorder.

*Writ, dated Jan. 3, 1681-2, signed by Hilliard Veren,† for the court, and served by Rich. Prythrich,† constable, by attachment of goods of Nicholas Bartlett, 9 pewter platters, 5 pewter porringers, 3 pewter basons, one pewter platter, one flagon, pewter pot, 2 pewter candlesticks, 1 pewter tankard, and a goblet, 1 pewter saltsellar, 1 pint pot, pewter, 1 warming pan, 12 earthen plates, chamber pot, chafing dish and dripping pan, 13 glass bottles and 7 earthen jugs, earthen pan, 1 brass kettle, 3 tin pots, pepper box, grater, funnel and saucepan, small brass skillet, one table, 4 joyned stools, a wainscot chest, one carved bed, a wooden pestle and mortar, 22 trenchers, 8 flag chairs, a settle and a plain chest, 2 grid-irons, 2 pair of pot hooks, 2 hakes, one pair of andirons, one

† Autograph.

† Autograph and seal.

John Woolcott v. Jonathan Haines and Sarah his wife.
Slander. Verdict for plaintiff.*

brass skillet, one steel fire fork, 2 pair tongs, 1 fire pan, one saving iron, 2 smoothing irons, a tin pudding pan, one large brass kettle and bellows, 2 washing tubs, one looking glass and 3 spoons. Bond of Thomas Searl† of Salem. Wit: Edmund Bridges.†

John Cromwell's bill of cost, 18s.

Nicholas Bartlett, Dr., to John Cromwell: Apr. 12, 1676, shd. veale, 10d.; May 3, shd. veale, 14d., May 27, leg veale, 16d., June 6, shd. veale, 18d., 4s.; June 17, leg veale, 18d., July 8, leg veale, 18d., July 15, 13li. 3-4 befe, 4s., 7s.; Aug. 5, leg mutton, 20d., Sept. 2, leg mutton, 20d., Sept. 16, 9 1-2 befe, 3 1-2d., Sept. 23, 1-4 lamb, 2s., 8s. 1d.; Aug. 30, leg lamb, 12d., Oct. 3, shd. & nec mutton, 1s. 10d., Oct. 7, 1li. suet, 3s. 4d.; leg lamb, 15d., Oct. 14, leg & brest mutton, 2s. 8d., 1li. suet, 6d., 4s. 5d.; Oct. 21, 1li. suet, Oct. 27, 1-4 mutton, 3s. 6d., 1-4 befe, 13li., 2s. 6d., carin, 6d., 1li. 11s. 9 1-2d.; Nov. 4, 1-4 beefe, 123li., at 2d. 1-2 per, carin, 6d., 1li. 6s. 1 1-2d.; Feb. 17, shd. mutton, 16d., Apr. 4, 1677, leg veale, 16d., Apr. 18, shd. veale, 12d., 3s. 8d.; Apr. 13, brest nec veale, 2s., Apr. 24, shd. mutton, 16d., Apr. 30, shd. veale, 14d., 4s. 6d.; May 3, leg veale, 16d., May 12, leg veale, 12d., May 27, 1-4 veale, 2s. 10d., 5s. 2d.; June 26, brest nec veale, 2s. 2d. July 24, leg mutton, 2s., July 26, shd. mutton, 18d., 5s. 8d.; July 28, 7 1-2li. beefe, 3 1-2d., Aug. 18, 1-4 mutton, 2s. 8d.; Aug. 25, 11 3-4li. befe, 3d. li., Oct. 6, 11 1-2li. befe, 3 1-2d. li., 11s. 6d.; Oct. 20, 13 1-4li. befe, Nov. 14, 1-4 mutton, 3s. 6d., 10 1-4 befe, 80li. at 3d., carin, 6d., 1li. 7s. 10d., Nov. 16, shd. mutton, 20d.; Nov. 9, 1678, 1-4 befe, 136li., 1-4 befe, 157li. at 3d., 3li. 13s. 3d.; Dec. 24, leg mutton, 1s. 8d.; rec'd of Walter Monjoy per my father, 5li.; Mar. 15, 1678-9, shd. mutton, 2s.; May 16, 1679, leg veale, 16d., May 17, leg veal, 20d., 3s.; June 27, nec mutton, 8d., July 23, 1-4 lamb, 30d., brest mutton, 1s. 8d., 5s.; Aug. 23, 7li. befe, 3 1-2d., leg mutton, 18d.; Sept. 6, nec mutton, 14d., Sept. 27, shd. mutton, 18d., 6s. 2d.; Nov. 19, 1-4 beefe, weight 158li., at 3d., 1li. 19s. 6d.; Jan. 17, 1679, leg mutton, 1s. 10d.; Apr. 3, 1680, shd. veale, 16d., Apr. 10, leg veale, 20d., 4s. 10d.; Apr. 17, leg veale, 18d., May 22, leg veal, 20d., July 10, leg mutton, 18d., 4s. 8d.; brest veale 18d., Aug. 7, shd. veale, 16d., Aug. 14, 12 1-2li. befe, 3 1-2d., 6s. 6d.; Sept. 11, 1680, 7li. befe, 3 1-2d., brest mutton, 14d., leg mutton, 15d., 4s. 5d.; Nov. 18, 1-4 beefe, 76li., at 3d., 19s.; creditor as above per fish of Walter Monjoy, 5li.; due me, 10li. 15s. 7d. Sworn in court.

*Writ: John Woolcott v. Jonathan Haynes and Sarah,

† Autograph

John Woolcott v. John Attkinson. Slander. Verdict for defendant.*

his wife; slander, for reporting that Woolcott stole a sow and pigs from them, and that Woolcott's wife stole two saucers from them; dated Mar. 1, 1681-2; signed by Anthony Somerby,† clerk of Newbury; and served by Joseph Pike,† constable of Newbury. Bond of Johnnathan Haynes† and Sarah (her mark) Haynes of Newbury, who gave as security six acres of upland with a frame of a house on it.

John Woolcott's bill of cost, 1li. 12s.

Sary Stecni and John Stecny testified that they heard Haynes say that John Woolcott was a thief, etc. Sworn in court.

John Woolcott, jr., and Joseph Woolcott testified that Goody Hayns came to their father's house to see a sow which her husband said was his and was marked with his earmark which he had given her when she was in the woods with her pigs and could hold her only long enough to mark one ear. Their father caught the sow which was marked on one ear, but Woolcott said it was his and her husband must have caught his sow and marked it. Goody Hayns said it was not theirs, etc. John Woolcott, sr., and Mary Woolcott affirmed the same. Sworn in court.

*Writ: John Woolcott, v. John Attkinson; slander, for saying that John Woolcott, sr., had been a liar and a thief these twenty years and had brought up his children to it so that now they are as good at it as himself and that he could prove it; dated Mar. 8, 1681-2; signed by Anthony Somerby,† clerk for Newbury; and served by Joseph Pike,† constable of Newbury, by attachment of land of defendant at the western end of said Woolcott's land on both sides of the little river within said Attkinson's fence.

John Woolcott's bill of cost, 2li. 18s. 10d.

John Attkinson's bill of cost, 1li. 16s. 8d.

John Wattson, aged twenty years, testified that at the end of last May John Woolcott came to him where he was working for Goodman Northend of Rowley a little beyond Rowley mill and offered to give him five pounds if he would get a paper, etc.† Copy from the Ipswich court files, Mar. 26, 1667, by Robert Lord,† cleric.

Peettor Tappin, aged about forty-eight years, and Jane Tappin, of about the same age, deposed that nearly twenty years ago John Willcott stole a hog from Abraham Tappin, Peeter's father, and they had a special warrant, upon which Willcott came to an agreement. Sworn in court.

† Autograph.

† See *ante*, volume 3, page 393.

John Allen v. Major Robert Pike. Withdrawn.*

Samuell Buckman v. John Atkinson. Non-performance of a covenant. Verdict for plaintiff, in corn. Appealed to the next Court of Assistants. Defendant bound, with Joseph Peasly and James Sanders as sureties.†

John Webster deposed that more than twenty years ago John Woolcot worked at Mr. Woodbridge's farm ground-selling a barn, and it was reported that John brought away an iron bar marked I. W. The bar was brought out into the street and by pitching was broken into two pieces. Also that Mary Woolcot was admonished by the church for stealing a hog from Abraham Tappin and also for stealing a silver bodkin from Henry Jaques' wife, the mark being almost worn or ruled out. Sworn in court.

John Woodbridge‡ affirmed, Mar. 27, 1682, that within a short time after he came from England the last time, which would be nineteen years on July 26 next, Woolcott was employed on his farm when John Sanders had charge of it, the latter having left eight years ago, etc. Also for some time it had been a common fame that Woolcott had been suspected of thievery.

Jno. Richardson‡ testified that it was about eight years since he came to the town of Newbury and soon after he arrived he was told that Jno. Woolcot's family were generally suspected of stealing.

John Woolcott, Joseph Woolcott and Phillip Foulter testified that they heard John Adkinson tell John Woolcott that he was a liar, etc. Sworn in court:

*Writ: Jno. Allin v. Major Robert Pike; for not paying a legacy to his wife, which legacy was left by Alice Sanders, dwelling at Weeke in old England, to the children of Robert Pike and Sarah, his wife, said Allin's wife being one of the children, and which had been received by Pike and should have been distributed equally among his children; dated Mar. 23, 1681-2; signed by Tho. Bradbury,‡ for the court and town of Salisbury, and served by Jno. Eastman,‡ constable of Salisbury, by attachment of the dwelling house, orchard, barn and land of defendant.

†Writ, dated Mar. 20, 1681-2, for not teaching him the trade of a felt and castor maker according to indenture dated July 3, 1678, and giving him his suits of apparel, signed by Robert Lord,‡ for the court and town of Ipswich, and served by Joseph Pike,‡ constable of Newbury, by attachment of five acres of land of defendant.

‡ Autograph.

Ephraim Winslow, attorney to the town of Salisbury v. William Ossgood. Verdict for plaintiff, 18,000 merchantable boards.*

John Atkinson's bill of cost, 1li. 16s.

Indenture, dated July 3, 1678, between Samuel Bucknam of Malden and John Adkinson† of Newbury, feltmaker, in which said Bucknam with the consent of his father William Bucknam agreed to serve said Adkinson and Sarah, his wife, for three and a half years, they to teach him felt and castor making and at the end of his service to give him three suits of clothing, one good new suit for the Lord's day and two suits for working days. Wit: Josef Bucknam† and John Wayte.† Sworn by the witnesses, Mar. 7, 1681-2, before Samll. Nowell,† assistant.

Richard Brown, aged about thirty-one years, testified that Atkinson several times let out Samuel Buckmon to husbandry work and employed him a great deal in that work himself. Sworn in court.

Samuell Wood deposed that he heard John Atkinson say that Samuell Bucknom cut three cords of wood for him the winter before. Sworn, Mar. 27, 1682, before Daniel Denison.†

Copy of bond, dated Nov. 30, 1681, given by Samll. Bucknam of Newbery, to his master John Atkinson, for 40s. in silver and 3li. in corn or malt on or before Mar. 29, next, on account of neglect of his business during his service with said Atkinson. Wit: Tristram Coffin and Joseph Pike. Sworn in court.

Samuell Grafes, sr., and Joseph Haven, aged forty-three years, hatters, testified that they being acquainted at the shop where Samuell Bucknam now works at the trade of hat making and seeing him at work, consider him capable of learning the trade but that his master had not done his duty by him. Sworn, Mar. 27, 1682, before Daniel Denison.†

Matthew Pattingell, aged about thirty-three years, deposed. Sworn in court.

Tristram Coffin, aged about fifty years, and Joseph Pike, aged about forty-three years, deposed that they were at John Atkinson's house and heard him complain of his servant Samuell Bucknam for spoiling his work. Then Bucknam agreed to give his master 40s. in money or 3li. in corn or malt, and to take what clothes he had then made and used to wear, his dame offering to give him another pair of stockings. This was in satisfaction of his indenture. Sworn in court.

*Writ: Ephraim Winsley, attorney for Salisbury v. William Ossgood, sr.; breach of covenant, dated Nov. 3, 1650, in with-

† Autograph.

† Autograph and seal.

holding rent due to the town about a grant of a certain tract of land for timber and in reference to a saw mill; dated Mar. 10, 1681-2; signed by Tho. Bradbury,* for the court and town of Salisbury; and served by Jno. Eastman,* constable of Salsbury, by attachment of the pasture adjoining the barn of defendant.

At a meeting of the town of Salisbury, 24 : 12 : 1667: "Also it was ordered y^t y^e land lying between y^e river that comes from y^e new meadowes & y^e mill river y^t comes to y^e head thereof shalbe divided to all the townsmen Inhabiting y^e old towne of Salisbury according to y^e rule two, fower, six & eight to be pportioned by y^e seven men here under named or any fower of them: Cap^t Pike, M^r winsly: Rich^d Wells: William Brown, George Goldwyer, Edward French: Andrew Grele." Copy made by Tho. Bradbury,* recorder.

"Racond with william Osgood on acct. of town of Salsbery the 10th: of the 12^{mo}: 1664 and all accounts Cleare to this day I say accounted by mee all the account of the saw: mill. Andrew Grele."* Sworn in court.

Henery Browne* accounted with Will. Osgood, 10 : 12 : 1663, in full for the rent of the mill. Wit: Rich. Courrier.* Sworn, Mar. 28, 1682, before N. Saltonstall,* assistant.

William Osgood, jr., testified that the mill about which he had formerly testified, estimating how many thousand feet of boards Mr. Mudgett had cut, was the saw mill that was last built in the bounds of Salisbury. Sworn, Mar. 24, 1681-2, before Nath. Saltonstall,* assistant.

Isaac Morrill testified that a great part of the land is laid out and improved, both land and timber, by the townsmen that was granted to Goodman Osgood. Also that the mill formerly set up is rotted down and has been down for about eleven years. John Osgood testified to the same. Sworn in court.

Richard Currier, aged about sixty-five years, testified that he witnessed the signature of Henery Brown's accounting with William Osgood, by order from the selectmen of Amabury as Browne told him. Sworn, Mar. 24, 1682, before Nath. Saltonstall,* assistant.

Copy from the Salisbury town records made by Tho. Bradbury,* recorder:

"Att a gen^l meeting of y^e towne of Salisbury 23^d of Nove. 1650 It was ordered y^e William Osgood shall haue liberty to make use of all y^e pine trees on y^t part of y^e common lying between y^e west side of y^e path y^t leadeth from y^e house of Jn^e Bayly unto Exiter, & y^e north side of y^e great pond, on condition y^t hee shall sett up a saw mill before y^e last of May

* Autograph.

w^e shall bee in y^e yeare 1652; or if itt bee not finished; by y^e time then y^e aforesd libertie shalbee voyd: And further y^e s^d W^m Osgood doth covenant y^t hee will pay unto y^e town of Salisbury one half hundered of board & plank Marchantable for every thousand that y^e mill shall saw, valluable according to y^e common price pvided y^t y^e townsmen shall haue libertie at all times to make use of any pine trees either for Canoas or to saw wth y^e whip saw, or for any other necessary use but not to sett up any other Sawmill: pvided no man shall fell any pine trees wth in this liberty & shall lett them lie (& not make use of them) aboue two months, but they shall bee forfeited paying them for y^e falling of them.

"Att a genll. meeting of y^e town of Salisbury march y^e 7th 1680-81 It was voted that y^e towne will psecute their Agreem^t with William Osgood about their rent due for y^e saw mill in a corse of law: (And Ephraim Winsley was chosen to bee the towns Attorney to psecute in their behalf) according to the abousd agreem^t wth y^e abousd Osgood."

Jno. Osgood and Willi. Osgood, jr., testified that Tho. Mudgett had cut eighty or ninety thousand feet of boards and planks upon the two quarter parts of that saw mill that was formerly Anthony Colbies, Sam. Worcester's and William Barnes', and that most of it was plank. Sworn, Apr. 8, 1679, in Salisbury court. Copy made by Tho. Bradbury,* recorder.

Phillip Grely and Jno. Allin testified that they had known this saw mill, commonly called the old mill, in Salisbury to be kept in constant use in sawing for ten or fifteen years. Since the mill has been repaired the owners have challenged their right by virtue of the town grant and forewarned deponents from taking away any timber. The mill used to cut with a full head of water a thousand feet of boards in twenty-four hours and they estimated that there were now at the mill about thirty thousand feet of boards and plank. Sworn in court.

Robert Ring, sr., and Jervis Ring deposed. Sworn in court.

Letter of attorney, dated Mar. 21, 1682, given by William (his mark) Osgood† of Salisbury to his son John Osgood of Salisbury. Wit: Robt. Pike* and John Stockman.* Sworn, Mar. 24, 1681, before Nath. Saltonstall,* assistant.

Ephraim Winsley's bill of cost, 3li. 11s. 8d.

Copy of agreement, dated Nov. 4, 1658, whereas there is a saw mill in possession of Wm. Osgood, Phil. Challis, Wm. Barnes, Anthony Colby and Samuell Worcester, copartners with said Colby in one-fourth part of the mill in Salisbury upon Pawwaus river near the corn mill, they should keep

* Autograph.

† Seal.

Joseph Mansfield, sr. v. Corporal John Newhall. For cutting and carrying away wood. Verdict for defendant.*

it in good working order, and agreed to make good to Wm. Osgood the grant of the town; the timber to be equally divided among them and each partner to have the privilege of using the mill for sawing his own timber into boards or planks to be used only on the land where said Osgood now dwells for building or repairing, provided they bring the timber to the mill already cut; if any one of them makes a new way to any parcel of timber, the others were to pay part of the cost if they used said way; if any one of them cleared the river for floating down logs to the saw mill, the others should bear part of the charge if they used the river for this purpose, etc.; each partner was to be allowed 3s. per day for what time he gave to repairs on the mill, if he be a good workman, and 4s. per day for making the head block and 3s. per day for a hinder head block and 2s. 6d. for a wallower or sweep; each partner was to provide saws for himself and the saws now at the mill to be equally divided, except those for oak; each partner was to take the mill to run for a week and so in order through the year, Willi. Osgood beginning, followed by Colby, Worcester, Barnes and Challis in order; each was to lay his boards and logs at the mill where they had formerly. Wit: Tho. Bradbury, Humphrey Verney, Rodger (his mark) Easman and Jno. (his mark) Hoyt. Copy from Hampton court records, 1679, made by Tho. Bradbury,† recorder.

*William Edmonds† certified on Mar. 24, 1681, that he was "ancient" and not able to go to court, and the land in controversy between Joseph Mansfeild and the two John Newhalls, all of Lin, which was four acres of land given said Edmonds about forty years ago by Lynn, etc. He sold this to the Newhalls. Wit: Benjamin Muzzy, sr.†

John Burrell, sr., aged about forty-seven years, and Samuel Johnson, aged about thirty-nine years, deposed that they found the stumps of fifty-four trees, large and small, cut and carried away the past winter and appraised the damage at 35s. in silver. Sworn, Mar. 25, 1682, before Bartho. Gedney,† assistant.

John Burrell, sr., aged about forty-seven years, and Joseph Mansfeild, jr., aged about twenty-six years, testified that they were desired by Joseph Mansfeild, sr., to go to his lot lying by the fresh meadow and there they saw Corp. John Newhall and John, son of Anthony Newhall, cutting and carrying away wood with a team of four oxen, saying this land was theirs. The land adjoined Mr. Holliock's fresh marsh and

† Autograph.

land that was called Goodman Coledom's. Sworn, Mar. 25, 1682, before Bartho. Gedney,* assistant.

Letter of attorney, dated Mar. 26, 1681-2, given by Joseph Mansfield, sr.,* of Lynn to his brother Andrew Mansfeild. Wit: Joseph (his mark) Mansfeild, jr.

Letter of attorney, dated Mar. 27, 1682, given by John Newhall, sr.,* and John Newhall, jr.,* of Lynn, to Thomas Newhall of Lynn. Wit: John Davis* and Ebenezer Hathorne.*

Oliver Purchis* certified on Mar. 14, 1680-1 that ten years ago when he was at the Iron works, formerly called Hammersmith, he was in great need of a tree to make an anvil block and found one that belonged to Joseph Mansfeild, sr., who said it was a bound tree in the line between him and John Newhall, then junior, or at the poplar tree. He said if Newhall consented, he could have it, which he did, and deponent felled the tree in the plain behind the mill street. Stones were laid upon the root to make the bound mark. Sworn, 5 : 5 : 1681, before Thomas Laughton and Thomas Marshal, commissioners of Lyn.

Record of Roberd Mansfeald's land, 1649, copied from the town records of Lyn, Mar. 24, 1681-2, by John Fuller,* town clerk: "Tow plantting Lotts Lying together one belonged to Mathias Farnworth Howse wich he Reserued that is to say Roberd Mansfeild Reserued: the other Hee Bought of John Hall with his & Lands: the both Contayning seauen Akers moor or Lesse: Lying in the Litle playn that Lyeth norwest of the Fresh marsh: wich marsh Lyeth norwest of the water mill: bounded norwest with the Land of Samuell Bennitt: Lately in the Tennur of Edward Burcham southest with the Fresh marsh of m^r Hollioake: Southerly oupon the Land of Thomas Couldum: butting Westerly uppon the Rockes: Esterly uppon the brooke."

John Newell, sr.'s, bill of cost, 14s.

John Newell, jr.'s, bill of cost, 18s.

Copy of deed, dated June 16, 1652, Robert Mansfield of Lynn, yeoman, for love to his son Joseph Mansfield and for his own good and that of his wife in their old age, all his houses and lands, except six acres of salt marsh already made over to his son Andrew Mansfield by deed of gift to take possession of after his and his wife's death, two of which are in the salt marsh below the town, bounded by marsh of Nathaniell Handford westerly, marsh of Andrew Mansfield easterly, northerly upon Mr. Willes upland and southerly upon the river, three acres in the second division in Rumnye marsh bounded easterly by the marsh of Capt. Bridges and westerly by marsh of George Taylor, butting northerly upon the common and

* Autograph.

southerly upon the marsh of Mr. Willes, one acre more in the same division, bounded westerly with the marsh of Will. Winter and easterly with the marsh of Mathew Westt, butting northerly upon the common, southerly upon Mr. Willes marsh, all of which were purchased of John Hall; all the rest of the houses and land, nine acres, the house lot bounded easterly by land of John Witt, westerly by land of Francis Burrall, butting southerly upon the country highway and northerly upon the rocks, with all the buildings upon it, and orchard; also seven acres bounded easterly with the fresh marsh of Mr. Holihock, westerly with the planting lot of or lately in the tenure of Edward Burcham, butting northerly on the brook that runs into the fresh marsh and southerly upon the rocks; also one ten acre lot promised and paid for to Lift. Walker; also five acres of upland and marsh joining together, bounded northerly by land of John Decon, westerly with land of Mr. Cobbit, easterly and southerly with the rivers, which land lay in the neck; three acres of salt marsh in the first division of Rumnye marsh, bounded easterly with the marsh of Capt. Bridges, westerly with the marsh of John Fuller, butting northerly upon the upland and southerly upon the common; two acres more in the same division, bounded easterly with the marsh of George Burrell, and westerly with the marsh of Capt. Keyne, butting northerly upon the common or creek, southerly upon the marsh of Mr. King; one acre more in the second division in Rumnye marsh, bounded easterly with the marsh of Tho. Laughton, and westerly with the marsh of Tho. Newill, butting northerly upon the common, southerly upon Mr. Willes' marsh; one acre more in the same division bounded easterly with the marsh of Capt. Bridges, butting northerly on the upland or swamp and southerly on the marsh of John Witt; and also what other fresh marsh he had in the country, about five acres; one half of this said Joseph was to have at present and the other half at the decease of said Robert, the widow's thirds to be considered, Joseph to carry on the farm at his own cost, having what personal help Robert could comfortably give in his old age, and while it could not be expected that Robert could equalize Joseph's strength, Robert tendered him two cows, half his team, with one-half of the furniture, plow, carts, chairs, yokes and at his death and his now wife's death, the whole furniture he now has for his team, and at the death of both, the bed Joseph now lay upon; it was the intention of said Robert that the two families live together and share equally in everything and if they could not live comfortably together, Joseph was to carry it on separately paying his father and mother a proportionate part, etc.; if Joseph died without issue, his wife who was Elizabeth, daughter of Edmond Needham, was

Joseph Mansfield, sr. v. John Newhall. For cutting and carrying away wood. Withdrawn.*

to have 50li. out of the estate, which is a double portion. Signed by Ed (his mark) Needham. Wit: Tho. Cobbitt and Andrew Mansfield. Acknowledged by said Needham, 29 : 1 : 1653, before Robert Bridges. Recorded in the Salem records for lands, book 3, folio 7, on 1 : 1 : 1666, by Hilliard Veren, recorder. Copy made by Robert Lord,† cleric.

Writ, dated Mar. 21, 1681-2, for carrying away wood from land in Lynn, which was formerly William Edmonds, west of Mr. Hollioak's fresh marsh and adjoining land of Clement Coudom and land that was Edward Burcham's, signed by John Fuller,† for the court and town of Lyn, and served by John Moare,† constable of Lynn, by attachment of a shop of Corp. Newhall's.

*Writ: Joseph Mansfeald, sr. v. John Newhall of Lyn, son of Anthony Newhall; for carrying away wood, etc.; dated Mar. 21, 1681-2; signed by John Fuller,† for the court and town of Lyn, and served by John Moare,† constable of Lyne, by attachment of a barn of defendant. Also summons of the same date, signed by John Fuller,† for the court and town of Lyn.

Copy of deed, dated 20 : 11 : 1679, from William Edmonds of Lynn, tailor, for 30s. to John Newhall, sr., of Lynn, son of Thomas Newhall and John Newhall, 2d, of Lynn, son of Anthony Newhall, four acres, bounded by land once John Leg's on the north, formerly Robert Mansfeild's on the south, east on the brook and west by the town common or ten acre lots. Wit: Hugh Lattemore, Ebenezer Hathorne, John Bennett and Oliver Purchase. Acknowledged, Nov. 23, —, before Hum. Davie, assistant. Copy made by Robert Lord,† cleric.

Andrew Mansfeild, aged about sixty years, deposed that about forty-three years since his brother John Mansfeild and himself bought of one Manton, so called, a little house, lot and a planting lot, the latter being the lot now in controversy. The next summer their father Robert Mansfeild came into the country and they surrendered this estate to him. Manton had bought it of William Edmonds. Two or three years afterward deponent was with his father when Edmonds showed them the bounds which were a great white oak and a walnut tree marked, between this land and the lot which was Edward Burcham's. Sworn in court.

Andrew Mansfeild, aged about sixty years, and Joseph Mansfeild, jr., aged about twenty-five years, testified that

† Autograph.

John Keazer, assignee of John Johnson of Haverill and attorney of George Keazer, administrator of the estate of John Gillow v. Richard Haven. Breach of a lease. Verdict for plaintiff. On Jan. 1, 1684, execution was delivered to Tho. Mould, Jno. Kezar's attorney, as attest, Jno. Appleton, cleric.*

they went to William Edmonds, who said that when he bought the house and house lot of old father Mansfeild, etc. Sworn in court.

Andrew Mansfeild,† aged about sixty years, deposed that he laid stones at the root of the bound tree in the presence of Lieut. Oliver Purchis and Joshua Rhoades, and the new bound tree was a walnut near the rocks. Sworn, 5 : 5 : 1681, before Thomas Laughton and Thomas Marshal.

"This 19th of March 1679-80.

"Loueing Freinds John Newhall, senior & John Newhall junio^r as Concerning the Lot neare to the fresh marsh which was mine, which I haue sould you uppon the condicion it was not alienated before, I haue further considered of it, & matters brought to my minde about the Alienateing of it, that I would haue you desist, & intreat you, not to make any trouble about it.

"Witt: Edward Baker, Andrew Mansfeild. Yours in Loue: William Edmonds."

Andrew Mansfeild testified that Edmonds told him the Newhalls sought him to buy the land in controversy and not he them, and that he was troubled much that he sold it to them and it had broken his rest many nights. If the Newhalls got the day at law, he would not keep any part of the price but would give it to Joseph Mansfeild, etc. Sworn in court.

*Writ, dated Mar. 21, 1681-2, signed by John Fuller,† for the court and town of Lyn, and served by John Moore,† constable of Lyne, by attachment of a bay horse of defendant.

Lease, dated Mar. 13, 1674-5, from Sergt. John Johnson† of Haverhill and Sarah, his wife, who was formerly wife of John Gillo of Lyn, and his executrix, to Richard Haven, jr., of Lynn, all the houses and land in Lyn given to her by will of said Gillo, excepting three acres of fresh meadow lying by Mr. Holyoake's ditch, some meadow lying by Jacob Knight's land and some meadow lying before Goodman John Ramsdell, sr.'s, door, running westward as far as a stone wall of Samll. Hart's by the bridge between Lynn and Capt. Marshall's now dwelling place; Haven was to pay 6li. in silver money

† Autograph.

and one barrel of clear cider annually for seven years, and was to bear all rates and assessments; Johnson was to allow him 5li. at the end of the term of the lease if the housing be made tenantable, as one end of the dwelling house at this time is out of repair; if the house should burn down, by no neglect of Haven, Johnson should stand the charge; if Haven should vacate, he must give a year's notice; the former agreement made between Richard and Sarah, the present wife of Johnson, was declared void. Wit: Nath. Saltonstall,* Daniell Ela* and Anthony Ashby.* John Johnson* certified, Mar. 10, 1676-7, that he assigned this lease to John Keyzar on Feb. 26, 1676. Wit: Nath. Saltonstall* and Nathaniel Smith.*

Assignment of the lease, dated Feb. 26, 1676, by John Johnson* to John Keyzar, both of Haverhill, as his attorney and as feoffee in trust for the benefit of the children which his last wife had by her former husband John Gillo of Lyn, before said Johnson's marriage to her, she being now deceased. Wit: Nath. Saltonstall* and Nathaniel Smith.* Sworn, Mar. 28, 1682, before N. Saltonstall,* assistant.

John Keyzer's bill of cost, 4li. 6s. 2d.

Richard Haven's appeal, claiming a vexatious suit, and that it was brought only to please the evil wills of others, as he had always paid his rent, etc.

Thomas Browne, sr., aged fifty-five years, and Thomas Mould, aged thirty-five years, testified that they were at Mrs. Hawthorn's house at Lin when John Keyzer of Haverhill and Richard Haven, jr., of Lin were there and Goodman Potter wrote an agreement for Keyzer and Haven. Keyzer demanded 4li. more than was written, that is, 20s. for the bridge, 20s. for cutting down the wood, 20s. for damage to the orchard and 20s. for charges, which Haven refused to pay. Sworn, Mar. 28, 1682, before Bartho. Gedney,* assistant.

Joseph Browne, aged twenty-three years, with the foregoing deponents, deposed that Keyzer desired Haven to get a man to go with him to view the fence and buildings, but he refused. Sworn, Mar. 27, 1682, before Bartho. Gedney,* assistant.

Richard Haven, sr., aged about sixty-four years, Daniel Gott, aged about thirty-six years, and Nathaniel Hathorne, aged about twenty-one years, deposed that Haven asked Kesar for a copy of the lease that he might know what he was to do about fences and buildings, for the frost was in the ground and he could not then set up fence. Kesar said he would wait a month provided Haven would get two men to be bound for him, which he did, but Kesar would not accept it. Sworn, Mar. 27, 1682, before B. Gedney,* assistant.

* Autograph.

Sarah Stickney, widow v. John Atkinson. Slander. Verdict for plaintiff.*

Sargent Heaven and Danniell Gott deposed. Sworn, Mar. 27, 1682, before B. Gedney,† assistant.

Robert Burgis, aged about sixty years, Clement Coldom, aged about fifty-eight years, and Robert Potter, aged about fifty-eight years, and Robert Pottar, aged about fifty-two years, testified that they viewed the "living" at Lyn on Mar. 17, 1682, and found 46 rods of the general fence by the fresh marsh, which was almost all hedge fence, insufficient; from Danill Gott's fence to Gillo's house, 10 poles, little or no fence; from Ramsdell's corner by Richard Whod's lot to the dwelling house of Gillo, 22 poles, no fence, it being the side of the orchard next to the field; from Gillo's house by the country road until the fence joins with John Ramsdell's, the outside of the orchard, 24 rods, with fencing stuff on it, but out of repair; at Samuell Hart's lane, 5 rods, wants repairing; fence by Jonathan Hudson, 46 rods, about 10 or 12 rods has fence; at the bridge foot lot, 16 rods, some fence stuff on it, and 7 rods on the ditch wanting a fence. In all there were 55 poles with fence but it needed many new posts and rails and needed to be reset, which was worth 30s. There were 110 rods insufficient and to make a good five rail fence would cost 2s. per pole; the barn would cost 4li. 10s. to repair and the bridge between the house and barn when Haven took the place was worth 20s., but had now almost disappeared, and in not keeping the orchard fenced, the cattle had damaged the trees. Sworn, Mar. 27, 1682, before Bartho. Gedney,† assistant.

Thomas Browne, sr., deposed that two years ago he carted ten loads of cord wood for Haven of this land to Joseph Mansfeild's landing place, also five cattle, for which he was to be paid as soon as Haven could sell them. Sworn, Mar. 27, 1682, before Barthol. Gedney,† assistant.

Robert Potter, Robert Burdges, Thomas Browne, sr., and Aquilla Ramsdell, all near neighbors to Haven, testified that Haven never set any new posts or rails while he lived there, etc. Sworn, Mar. 27, 1682, before B. Gedney,† assistant.

Nathaniel Hathorne, aged about twenty-one years, testified. Sworn, Mar. 27, 1682, before Bartho. Gedney,† assistant.

Letter of attorney, dated Mar. 20, 1681-2, from Georg Keysar† of Salem, tanner, guardian of Robert and Sara, children of John Gilloe of Lynn, deceased, to his son John Keaser. Wit: Hilliard Verent† and Henery Skerry, sr.† Acknowledged, Mar. 20, 1681-2, before B. Gedney,† assistant.

*Sara Stickney's bill of cost, 2li. 4s. 4d.

† Autograph.

† Autograph and seal.

Hugh March v. John March. Verdict for defendant.*

John Atkinson v. Sarah Stickney, widow. Slander. Verdict for plaintiff.†

*Writ: Hugh March, sr. v. John March of Newbury; for non-payment of a debt for goods received; dated Mar. 22, 1681-2; signed by Anthony Somerby,† clerk for Newbury; and served by Joseph Pike,† constable of Newbury. Bond of John March,† John Stockman and Joseph (his mark) Flechar.

John March's bill of cost, 1li. 9s.

Tristram Coffin, aged fifty years, testified that Hugh told him that his son John March gave him two bills amounting to 80li. for wine, liquor, cider, pork, hops, candles, horse, cart, wheels and other goods. John had paid 20li., but 60li. was in a bill to be paid in six years which Hugh had not received. Sworn in court.

Tristram Coffin testified that John March acknowledged the account, etc. Also that Hugh March said John owed him for house rent, etc. Sworn in court.

Joseph Pike, aged about forty-three years, testified as to the quarrel between Hugh March and his son about accounts, and deponent and Sargeant Caleb Moody labored to have them agree, etc. Sworn in court.

Invoice of goods received by John March of Hugh March, sr., in Jan., 1679: 1 Cart and wheles and Iorn to it, 2li.; 3 swine, 2li. 10s.; 1 horse, 2li. 10s.; horse tackling, 10s.; one hodghed of rum and part of another, 8li. 15s.; 5 busshels of wheate, 1li.; 11 bosshels of malt, 1li. 14s.; 2 barrells of porccke, 5li.; 6 bosshells of meale, 15s.; 2 fliches of bakon, 1li. 12s.; 140li. hops, 2li. 12s.; 12 pound of lard, 4s.; suger, 18s.; tallow to macke candeles, 18s.; 16 barrells of sider, barrells and all, 8li.; 16 bushells of ots, 2li.; cor fish and dry fish, 10s.; 1 payr of cards, 3s.; 16 pound of butter, 8s.; 1 hodghed of malases and part of another, 3li.; 293 gallons of wine, 40li. 5s.

Daniel Ela testified that John March owned the foregoing items but said the appraisal was too dear.

James March, aged about eighteen years, deposed that his brother John, etc.

Hugh March, sr., deposed. Sworn in court.

†Writ, dated Dec. 22, 1681, signed by Anthony Somerby,† clerk for Newbury, and served by Joseph Pike,† constable of Newbury, by attachment of the dwelling house and land of defendant. Bond of Sarah (her mark) Sticknee.

John Atkinson's bill of cost, 2li. 4d.

Sarah Stickny made oath that John Atkinson was the

† Autograph.

father of that child which she brought into court and for which she asked maintenance.

Summons, dated Dec. 15, 1681, for the appearance of John Atkinson upon complaint of Sarah Stickney that he is the father of her last child, which fact she had concealed upon his promise to maintain the child which he now refuses to do, also to said Sarah and her son to give evidence, signed by Daniel Denison.*

Richard Brown, aged thirty-two years, deposed that he was at the widow Stickney's house groundpinning a leanto last October and Goodman Adkinson was there, etc. Sworn in court.

John March, aged twenty-three years, testified that last fall he, Samll. Lowle and John Atkinson, jr., were riding in a cart by Sarah Stickney's house. Deponent called to her and said "here is Samll. Lowle what have you to say to him?" She replied, "A you roge, yonder is yor Child under the tree, goe take it up and see it." Lowle replied it was none of his, etc. Sworn in court.

Jonathan Haynes, aged about thirty-five years, testified. Sworn in court.

John Steckny testified that for the sheep that Jonathan Hayns had of his mother, said Hayns was to pay 5s. in barley. Sworn in court.

Goorg Littel testified that he went along with Nicholas Rawlings to John Atkinson's to make an end of the differences about the money which he said he lent to Atkinson. Sworn in court.

John Stekny testified that John Atkinson came to his mother's house and desired her to let deponent get some wine for him, and at last Atkinson gave him some money and he went to Mrs. Ann White's and brought back a quart. They both drank freely and Atkinson sent deponent to bed, etc. Sworn, Dec. 20, 1681, by Daniel Denison.*

Nicolas Rawlings* testified that Jonathan Hains said that the widow Stickne said the child was not Samuel Loel's but another man's child in the town, etc. Sworn in court.

James Mirack, aged about thirty-one years, and Hannah Mirack, his wife, aged about twenty-two years, deposed that Sarah Stickney came into their house and told them that their brother John Attkinson came from Haverhill and brought her news of her son at Bradford and of her sister-in-law Faith. Atkinson was about to hire a house of said Faith, etc. Sworn in court.

Hanah Merrek, wife of James, and Hanah Merrek, his sister, testified that Sarah Stickney came into Jonathan

* Autograph.

Haynes' house when John Atkinson and his wife were there and asked said John if he were going to deny his child, whereupon John's wife called her an impudent baud. Then Sarah used such opprobrious, reproachful and reviling speeches that Haynes told her to go out of the house but she would not depart. Then Goody Atkinson stepped to Goody Stickney "and Clapt her hand in her face and sd she would spit in the face of any that should call her a baud: and spit att her." Sworn in court.

Marget Mireck, aged about fifty-nine years, and Hannah Chainy, aged about thirty-eight years, testified that Sarah said she never had money of any man living to pay her fine nor for the child's maintenance. Some of her money was from Goodman Downer for sheep that she sold and the rest was from Goodman Pilsbury. Sworn in court.

Sara Stickny affirmed that John Atkinson called her out of her house, told her that the court was near and he was going to Boston. He gave her 30s. in money and asked her to be true to him. John Stickny, her son, testified to the same and that when Atkinson came to their house, he bade deponent put his horse out of sight. Sworn, Dec. 20, 1681, before Daniel Denison.*

Ane Thurell, William Morse, Anthony Morse, Johuah Morse, Hester Smith and Frances Thorla testified that Sarah Stickny told them after she returned from court that the magistrates had dealt very favorably with her and better than she deserved and she had great respect for them all. Sworn in court.

Joshua Mors, aged twenty-seven years, deposed that he was at the house of his sister, Sarah Stickny, when Ephram Wheller, John Atkinson's man, came to plow and sow her rye, etc. Sworn, Mar. 23, 1682, before Daniel Denison.*

John Stickny, aged about sixteen years, testified. Sworn, Mar. 27, 1682, before Daniel Denison.*

Robert Savory of Bradford, aged about forty-eight years, deposed that he went to buy a cow at Stickny's house, etc. Sworn in court.

John Stickny testified that after his mother's child was born Atkinson came to see her, took the child in his arms and kissed it, etc. Sworn, Dec. 20, 1681, before Daniel Denison.*

Elizabeth Browne testified that she was with Sarah at the birth of the child and she told her Samuel Lowel was the father, and when he went away he said he would bring her whittles and clouts. Sworn in court.

James Mireck, jr., aged thirty-one years, deposed. Sworn in court.

* Autograph.

Joseph Peasly v. Josiah Clarke. Appeal from a judgment of Capt. Saltonstall, Dec. 27, 1681. Special verdict. If one testimony of a bargain with testimony that the person bargained with owned that the staves were ready or he could quickly have them ready and did not own or deny it at the trial be legal proof, they found for defendant, confirmation of the former judgment; if not, they found a reversion of the former judgment. Court judged that one positive evidence and other evidences in the case were good in law and found for defendant, confirmation of the former judgment. Appealed to the next Court of Assistants. Joseph Peasly bound, with Robert Ring and James Sanders as sureties.*

Necolas Rollens testified that John Atkinson paid him the money he owed him because he was afraid he would witness against him and as he said disgrace him and his family. Sworn in court.

John Woolcot, sr., testified that he was at Goodman Chene's house when Goody Cheni asked him who was the father of Sarah's child, etc. Sworn in court.

Hana Merick, aged about twenty-five years, testified that being at her brother's house with her cousin Sara Adcasun, etc. John Atkinson, aged about fifteen years, testified that Wheeler plowed for Sarah Stickny when his father was in Boston, etc. Sworn in court.

Henery Akers testified about the money that Nicolas Rollens loaned John Atkinson, etc. Sworn in court.

William Morse, aged sixty-seven years, testified that Atkinson said before the honored major that he had not been at Sarah's house for seven years. John Stickny testified to the same. Sworn in court.

Johannah Morse, aged twenty years, testified.

*Copy of papers in this action, at Haverhill, Dec. 27, 1681, before Nath. Saltonstall,† assistant:

Writ: Josiah Clarke of Ipswich v. Joseph Peasly, for not delivering 1 M. white oak hogshead staves in the summer of 1681 at a landing place in Haverhill so as to be ready to be transported in a boat then building by John Haseltine for Mr. Francis Wainewright; dated Dec. 15, 1681; signed by Nath. Saltonstall, assistant; and served by John Griffen, deputy for Robert Lord, marshal, by attachment of two acres of land near defendant's old house, adjoining the highway, which his wife said was his "for ought she knew."

Judgment for plaintiff, the staves to be delivered. Appealed

† Autograph.

John Atkinson v. John Woolcott. Slander. Verdict for defendant. Appealed to the next Court of Assistants. Plaintiff bound, with Joseph Peasley and James Sanders as sureties.*

to the next Ipswich court. Defendant bound, with John Clement and Benjamin Singletery as sureties.

Robert Clement, sr., deposed that when Tho. Newman and Mr. Wainewright's man came up for the boat which Haseltine built, Josiah Clarke desired deponent to cull a thousand hogthead staves which he had bought of Joseph Peasley. He went with said Clarke down to Clarke's uncle's and told him to tell Peasley he had his culler with him and was going down into the plain to the landing place. Deponent and Clarke went down and tarried until his uncle came, saying that Peasley said he had no staves at the water side but if he had known he was coming he would have had them ready. Sworn, 27 : 10 : 1681, before Nath. Saltonstall,† assistant.

Edward Clarke testified that he heard the bargain made at the last Ipswich court at Quartermaster Perkins' house. James Sanders was to bring the staves to Ipswich or if not he, they were to be sent in the new boat. He heard Josiah Clarke proffer his pay at Merchant Wainewright's, Deacon Goodhew's or Mr. John Appleton's, but Peasley said he did not like to take his pay until he delivered the staves. Later deponent reckoned with Peasley and he told deponent that he thought he had taken something of his cousin Josiah upon his account. Sworn, 27 : 10 : 1684, before Nath. Saltonstall.†

Joseph Clarke deposed that when he came home to Haverhill, etc.

Edward Clarke deposed.

Joseph Peasley's bill of cost.

Josiah Clark's bill of cost, 15s. 6d.

Joseph Pesly's† reasons of appeal, received Mar. 22, 1681-2, by Nath. Saltonstall,† assistant.

Josiah Clark's† answer.

*Writ: John Atkinson of Newbury v. John Woolcote of Newbury; slander; for reporting that he tried to cheat defendant of about 24li. by using means to persuade said Woollcott's wife to sign a receipt, which she would have done had not her son-in-law Chadwick prevented, which made Atkinson very angry, Chadwick making another receipt for the true amount which she signed and gave to Atkinson; dated Mar. 21, 1681-2; signed by Anthony Somerby,† cleric for Newbury; and signed by Joseph Pike,† constable of Newbury, by attachment of the dwelling house of defendant.

John Atkinson's bill of cost, 2li. 18s. 2d.

† Autograph.

Andrew Grely v. John Griffing. Debt. Verdict for plaintiff.*

John Clements v. Nathaniell Merrill. For not fulfilling a bargain. Verdict for defendant. Appealed to the next Court of Assistants. Plaintiff bound, with Abraham Clement and James Sanders as sureties.†

John Woolcot's bill of cost, 1s. 4d.

Receipt, dated Nov. 15, 1675, from Mary (her mark) Woolcot for 14li. 2s. 6d. in pork and barley to John Atkinson, for land purchased of Jno. Woolcut and Mary, his wife, for which he was to pay 50li. Wit: James Mireck† and Benjamin Plumer.‡ Timothy Woodbridge‡ certified on Mar. 20, 1681-2 that he wrote the foregoing receipt. Wit: Jo. Woodbridge‡ and John Webster.‡ Sworn in court.

James Myrack, jr., aged about thirty-one years, testified that he saw the receipt given. Sworn in court.

Joseph Pike, aged forty-three years, deposed that John Woolcot, sr., was at his house this last winter and told him how Atkinson tried to cheat his wife when he was at the Naraganset, etc. Sworn in court.

Tristram Coffin, aged about fifty years, testified that Thomas Chadwick told his mother-in-law, Mary Woolcot not to sign the receipt until she knew what it was, etc. Sworn in court.

John Webster, aged forty-nine years, deposed that when Atkinson asked Mary to sign the receipt she said that she could not write and he said he had it all written, etc. Sworn in court.

*Andrew Greely's bill of cost, Tho. Davis, witness, etc., 1li. 8s.

†Writ: John Clement of Haverhill v. Nathaniel Merrill; for not fulfilling a bargain made a year ago Michaelmasse by which John Merrill, defendant's son, was to live with Clement for five months for 5li., the money having been paid but the service not given; dated Feb. 25, 1681; signed by Nath. Saltonstall,‡ assistant; and served by Joseph Pike,‡ constable of Newbury. Bond of Nathl. (his mark) Merrell.

John Clement's bill of cost, 3li.

Copy of writ: Nathaniell Merrill v. Abraham Clements; debt; for not paying 5li. in barley or barley malt and 10s. in money about his son John Merrill; signed by Anthony Somerby, cleric for Newbury, and served by Joseph Pike,‡ constable of Newbury.

"Louing brother Abraham Clement pray be plesed to pay

‡ Autograph.

to Nathaniell Merrill of Nubery fue pounds for me which is the fue pounds that I ingadged to pay for you which you were bound to pay by your indentuer, the said merrill ex-septing of me pay master when he ingadged his sunn John Merrill to me for fue munths upon that acompt, & in so doing you will oblidge me who am your louing brother to comd "deat this 1 : 12 : 1681. John Clements."*

Abraham Clements testified that he paid the amount asked for in the foregoing. Sworn in court.

Nathaniel Merrill's bill of cost, 2li. 6s. 4d.

Abraham Clements testified that John Merrill lived with him ten months and was very well started in the trade of a carpenter so that he could do as much as most men under a head workman. John Clements lost much by not having Merrill's keep because he was about to build a house at that time and was obliged to hire another man. Deponent helped to build the house. Sworn in court.

Indenture, dated Feb. 22, 1681, Abraham Clemans, house carpenter, now resident of Newbury, and John Sawyer, planter, of Newbury, in consideration of an agreement between Nathaniel Merrill, planter, of Newbury and Abraham Clemans, upon account of clothes which Clemans was to allow John Merrill, son of Nathaneel, promise to pay to Merrill 3li. 10s. in barley or barley malt at any malt house near the water side and 5s. in money. Wit: Aquila Chase* and William Chadwick.* The latter testified that Nathaniell Merrill, sr., owned that this bill was satisfied, for Thomas Mould showed him the bill.

William Chadwick, aged thirty years, deposed that when Abraham Clements gave Merrill a bill for the pay, Nathaniell Merrill, jr., said he was afraid there was some trick in it, etc. Sworn in court.

John Whittier, aged about thirty years, deposed that he was asked to be a witness to the bargain between Merrill and Clements, etc. Daniel Clemant was also present. Sworn, Mar. 25, 1682, before Nath. Saltonstall,* assistant.

Daniell Clement, aged about twenty-six years, and Abraham Clement, aged about twenty-four years, deposed that the latter being about to take a voyage to sea, he was to deliver his apprentice John Merrill to his father Nathaniel Merrill. It was later agreed that John should go up to Haverhill to work for John Clement as a carpenter. Abraham Clement deposed. Sworn, Mar. 27, 1682, before N. Saltonstall,* assistant.

Abraham Marrill and Acquilla Chase deposed. Sworn in court.

* Autograph.

Thomas Lever v. John Scales and John Acie. Trespass.
Verdict for plaintiff, the land in controversy.*

John Merrill, aged nineteen years, and Nathanael Merrill, jr., aged seventeen years, deposed concerning the agreement. "our fathar Nath: Merrell made an objection: and said to John Clemant how shal my son John come to haverail: he was nevar thar: he douth not know the way." Clement promised to come and get him. Nathaniael Marrill, sr., affirmed the same. Sworn in court.

*Writ: Thomas Leaver, jr. v. John Scails and John Acy; trespass, for challenging several trees within plaintiff's land to be their bound trees in the field commonly called Symons field in Newbury; dated Mar. 22, 1681-2; signed by Thomas Leaver,† clerk of the writs for Rowley; and served by Jeremiah Elsworth,† constable of Rowley, by attachment of the houses and lands adjoining the houses of said Scals and Acy.

Damage sustained by Thomas Leaver, jr., by defendant's challenging the land, himself and the three men appointed by the town to rectify bounds, one day, two years ago, 8s.; the year after, one corner bound which the men the year before had concluded to be the ancient bound betwixt them he desired the men to go again, 8s.; several years ago when John Acy made his first claim, two men one day to show the bounds, 4s.; himself and three men to settle the bounds, 8s.; two men to measure the land, one day, 4s. John Pickard, Ezekiel Northend and John Johnson testified to the same. Sworn in court.

Copy from the town book of Rowley, Mar. 8, 1681, by Philip Nelson,† recorder:

"To Richard Swan six Acres be it more or less, one Acre of it beinge part of his second diuision, liinge on the west side of Thomas Burkbees Land buttinge as aforesaid only a littell side of the west side ioineth upon some common land through all these above mentioned lots, there is allowance for a cart way that so each of them, and the lots that are laide out, beyond them, may haue sufficient and conuenient passage without disturbance.

"To Thomas Leuer four Acres be it more or les, one Acre of it beinge part of his second diuision, liing on the west side of Richard Swans Land, buttinge on the common on the south end, the North end buttinge on Simons brooke.

"To Thomas Tenney, three Acres, be it more or less, liinge on the west side of thomas Leuers Land, the south end butting against common land, the north end abuttinge on Simons brooke.

† Autograph.

"To John Scales four Acres and twenty seauen rods, be it more or less, one hundred and seauen rods of it is for want of the share of one Acre and halfe lot in the marsh feild, part of it lieth against the west end of his polipod lot, and against the west ends of William Sticknees, and william Scales polipod lots, the rest of it lieth on the west side of Thomas Tennies first diuision of land, the south end butting against common land, the North end buttinge on Simon's brooke, the west side bounded in a swampe against William Acie Land.

"To William Acie four Acres be it more or less, liinge on the west of a swampe, against the west side of John Scales his land, the North end abuttinge against Simons brooke, the south end abutting against common land the west side bounded by land of Mr. Sammuell Philips, hauinge a highway through it, for the lots beyond it."

"To Thomas Leauer two Acres be it more or les lieing on The north side of Richard Swans lands: the east side bounded by a highway alowed for Richard Swan or any beyond as marke Prime and Edward Hazen to Come into the highway ouer the lots: The west side bounded on the swamp by severall marked trees Bounding william acys land and it: The north end of it Joyning partly to the South end of his owne first devison of land and partly to the first division of Thomas Teny and John Scails lands." Copy from the book of records of lands of Rowley, Apr. 14, 1680, by Phillip Nellson,* recorder. Recorded in the record of lands for Essex, liber 4, page 362.

Charles Brown and Ebenezer Brown deposed that the land on the south side of the swamp claimed by Leaver could be improved by plowing, as a great part of William Acie's has on the north side. Sworn in court.

"Att a Legall towne meeting held the 28 of February 1678: John Pickard, Ezekiell Northend and John Johnson were Aponted by the towne to determine acording to their best light any difference betwixt one man and another Respecting bounds of land or meadow." Copy from the town book, 28 : 1 : 1682, by Thomas Lambertt,* keeper of the book.

Thomas Leaver's bill of cost, 2li. 9s. 8d.

The committee appointed by the town to settle the bounds, being desired by Leaver who complained that the small ash tree that was settled on by them last year as a corner bound was cut up, went with him on Apr. 27, 1681 and marked the stump of the tree by laying stones by it, and also marked other new trees. Sworn in court.

Thomas Leaver, sr., aged sixty-seven years, testified that being with Capt. Brocklebanke, Richard Swan and Ezekiell Northend, lot layers, etc. Sworn in court.

* Autograph.

John Johnson, John Pickard and Ezekiell Northend, appointed by the town to rectify bounds, certified that they settled the bounds between Leaver, Scales and Acy, and concluded that the ancient bounds between Leaver and Scales was on a line from a red oak which was the corner bounds between Thomas Teny and John Scales, to a small ash tree marked on three sides standing by a great stump about two rods from the bridge going over the swamp between Acy and Scales; and the bounds between Leaver and Acy were from the ash tree up the swamp to the end, according to town record of May 20, 1650. Sworn in court. Recorded, Oct. 22, 1680, in the records of lands for Essex at Ipswich, book 4, page 362, by Robert Lord,* recorder.

John Johnson and Daniell Wickam deposed that they went to Simon's field to view the bounds, etc.

Charls Brown, John Lighton and Benjamin Scot deposed that going through Simmons field for some years they had seen the marked bounds and in company with Mr. Phillip, John Acie, Joseph Kilborn, they, upon request, showed where they had seen the corner bound stand, etc. Sworn in court.

Ezekiell Northend and John Johnson deposed. Sworn in court.

Deed, dated Feb. 17, 1681, from Thomas Leaver, sr.,† and Mary (her mark) Leaver,‡ confirming a deed of gift to their son Thomas Leaver upon marriage of one-half of their lands within five miles of the town of Rowley, and also to said Thomas the son, two acres of land in that field commonly called Symons field, which division was the last in that field laid out to them, bounded on the west by land laid out to William Acy, on the north by land of John Scails, Thomas Teny and some of their own. Wit: Thomas (his mark) Burke and Mighell Cresse.* Acknowledged, Mar. 27, 1682, before Daniel Denison.* Recorded, Mar. 27, 1682, among the records of lands for Essex, liber 4, page 437, by Robert Lord,* recorder.

William Brown, aged about twenty-six years, deposed that he was with his uncle John Acie when he broke up his grandfather Acie's land at Simons field. Before they began to plow they went to the stake at the south end of his grandfather's and Mr. Samuell Phillip's lot, etc. Sworn in court.

Thomas Tenny and Benjamin Scot deposed. Sworn in court.

Ezekiell Northend, aged about fifty years, deposed. Sworn in court.

John Johnson deposed. Sworn in court.

Willyam Acie,* aged about ninety years, deposed that the

* Autograph.

† Autograph and seal.

‡ Seal.

Samuell Bishop, administrator of the estate of Margret Bishop, executrix of the estate of Tho. Bishop v. William Hodgekins, sr. Debt. Withdrawn.*

lot layers never told him that the south end of his lot was shorter at one side than the other, and were it not that his strength failed him by reason of his age and his help went from him, he would have broken up that corner supposing it to be his.

Thomas Tenny, sr., deposed. Sworn in court.

Charls Brown and Benjamin Scot deposed. Sworn in court.

*Writ, dated Mar. 20, 1681-2, signed by Robert Lord,† for the court and town of Ipswich, and served by Robert Lord,† marshal of Ipswich, by attachment of house and land of defendant.

Job Bishop† of Ipswich certified that he took a bill of Hodgkins and got a new one for the old, also another of Dan. Clark of Topsfeild of 8li. in New England silver, all of which he assigned, July 21, 1680, to John Numarch, sr., for part of his own bill and one of Samuell Bishop's to said Numarch. Wit: John Sparke.†

At a county court at Dover, June 24, 1679, Job Bishop of Ipswich chose Maj. Robert Pike of Salsbury as his guardian and he was allowed. Copy made by Elias Stileman,† cleric.

Abigail Wilson, aged about forty-one years, deposed that the wife of Thomas Bishop, formerly merchant, had her youngest child, whom she named Job, about the time deponent's first child Joseph was born and that there was about ten weeks' difference in their ages.

Robert Lord,† recorder, certified that Joseph, son of Shoreborne Wilson was born June 1, 1660.

John Numarch, sr., aged about sixty years, deposed that after widow Bishop's decease, he was sent for to go to the house of Goodman Hodgskins, sr. Job Bishop was there with a book of accounts and a bill. At the signing of a bill to Job Bishop and delivery, deponent saw the book crossed and the old bill given in and burned, which they said was for for a boat that he had bought of Thomas Bishop. Sworn in court.

Fishermen's bills due to Thomas Bishop, executor: William Hodgskins, 29li. 7s. 9d.

Copy of records, Mar. 29, 1681, and Feb. 17, 1670, of Ipswich court in a similar action. On the reverse: Short cable, 3li. 2s.; top halyards, 15s. 7d.; Shrouds, 3li. 6d.; small rope, 9s. 1d.; small rope, 3s. 8d.; bigger rope, 6s. 5d.; one great cable, a smaller cable.

† Autograph.

Samuel Bishop, administrator of the estate of Margret Bishop, executrix of the estate of Tho. Bishop v. Daniell Clarke. Debt. Withdrawn.

Samuell Bishop, administrator of the estate of Margret Bishop, executrix of Tho. Bishop v. Thomas Verry, Tristram Elford and Mathew Wheeler. Debt. Verdict for plaintiff, in fish.*

Major Robert Pike was sworn commissioner to end small causes at Salisbury.

Thomas Knowlton acknowledged judgment to William Vahan, Esq., in money and neat hides, if green, at 3d. per pound, if dry at 6d. per pound.

*Writ, dated Dec. 27, 1681, signed by Robert Lord,† for the court and town of Ipswich, and served by Thomas Riggs,† constable of Gloucester, who delivered Thomas Verry to the prison keeper at Ipswich.

Samuell Bishop's bill of cost, 1li. 6s.

Mathew Wheeler† certified, 20 : 7 : 1666, that the provisions they received from Thomas Bishop came to 36li., for which they gave him 18 quintals of merchantable fish and two barrels of mackerel. Wit: Nath. Saltonstall.† Thomas Bishop's† receipt on 18 : 4 : 1667, for 5li. 1s. 6d.

Account of what Thomas Verry, Tristram Elford and Matthew Wheeler had 15 : 9 : 1664: 11 bushells of Indian corne, 1li. 13s.; 3 bush. wheat, 15s.; 3 bush. mault, 15s.; 7 bush. Turnups, 8s. 2d.; 400 of bread, 4li.; 543 pound of porke, 8li. 16s.; 2 bowles, 1s. 4d.; 8 pound of Tobacko, 8s. 8d.; pound and half of Tobacko, 1s. 7d.; by Deacon Pengry, 1li. 2s.; a pair of boots and a pair of shoes for Thomas Verey, 1li. 8s.; pair of boots for Tristram Elford, 1li. 2s.; 2 skins, 5s.; an ax at the smith, 4s. 6d.; 10 : 1664, 8 bush. Indian corne, 1li.; 6 pound of Tobacko, 6s.; Thomas Verry by Phillip Muddle, a pair of shoes, 5s.; pair of shoes from Goodman Buckley, 2s. 4d.; 400 of bread, 4li.; 3 bushells pease, 12s.; 3 bush. Indian corne, 10s. 6d.; 6 bush. wheat & barley, 1li. 8s. 6d.; 3 bushells malt, 15s.; pipes & paper, 4d.; 6 pound of Tobacko & thread, 6s. 2d.; 2 quarts of Rumme, 2s. 6d.; 212 pound of porke & salt, 3li. 12s.; half a pound of sugar, 4d.; 12 : 3 : 1665, a pair of shoes he said he would bring again, 5s.; Thomas Verry by Elwell, 2 bush. wheat, 10s.; Tristiam Elford by Deacon Pengry, 4s.; pound of Tobacko, 1s.; a dossen of pipes, a quarter of an hundred of bread, 5s. 6d.

† Autograph.

Cornet John Severns of Salisbury acknowledged judgment to Mr. Richard Martin.

Upon hearing the case between Danell Ela and his wife, court ordered him to pay a fine of 40s.*

*Petition of Elisabeth (her mark) Ela: "Whereas my husband danill Ela is by warrante to appere at this honrid Coorte to Answer to A complainte made against him which I Apprehend by my unadvised speeches spoke Agenste him: Abowghte his barbarose usage toward me and of his turninge me owte of dores which if it be proved that I did say soe it was in A passhon if I did say soe but I Cannot say that I did for my goeing oute of dores to my naibers howse was of my selfe & not of my husband turneing me owte: I know that my husband was angry and did say more at that time to me then he woldd doe at another time & leaste my staying sholld Carse forther words to pase between us I ded as A four say leaue the howse I know I am twoe apte to speake more then I doe allow my selfe in: and whereas I am warned to appeare to prossicute against my husband and these under my hand doe testify to the onrid Corte that I have nothinge Agenste my husband to Charge him with." Wit: Isrell (his mark) Ela and James Pecker.†

John Griffing deposed that being at the house of Daniel Ela with Benjamin Kimball and others on Jan. 28, 1681, William White and Andrew Grely came in to speak with Ela about a complaint the latter's wife had made to said White. Ela was very angry and told White that he was a meddling knave and bade him go home and order his own wife, for said Ela "I knu how to order mine beefore you knu mee." Ela further said he would humble him for he had always been a pimping knave to him. Ela said that she was no wife of his and she should not come within his doors unless she humbled herself for what wrong she had done him both in person and estate by her tongue. She was nothing to him but a devil in woman's apparel and if he ever had her come home without an humble acknowledgment, he hoped his hands might rot off or his legs never carry his body more. Sworn, Feb. 6, 1681, before N. Saltonstall,† assistant.

Matthew Heremon testified that Ela said his wife was his servant and his slave and he would have her whipped but that it would be a disgrace to him, for he would never have a quiet hour until he did.

Andrew Grelee testified that on Jan. 28, 1681, William White came to his house saying that Goody Ela was at his house and did not dare to go home, for her husband had beaten

† Autograph.

her. So they went to Ela's house to see what the matter was and found Ela "was very high in his expression & very unbecoming a man speaking vilely of his wife & said shee was none of his wife, shee was but his Servantt, hee was a gentell-man borne, shee was butt a poore widdow," and he was a hundred pounds worse for her. He further threatened White if he entertained her, saying he would make him smoke for it, and told White he was an enemy of his and he would get even with him for witnessing against him that he was drunk. "I hate you," said he, "I do hope to haue a time to requite you for yo^r kindness, alsoe hee said he was Lord paramount in his owne house hee might doe or say w^t hee would & none should controule him." Deponent led Goody Ela from White's house after he had come from the Captain's and Ela refusing to let her in, he left her in the yard and went to the Captain again to know what to do with her. When he returned he met her at the bridge and she said that her husband came after her with a stick in his hand to beat her. Then deponent took her to John Page's according to the Captain's order, where he left her. She desired deponent to go to her husband and ask him to let her have her Bible and spectacles, but he refused to give them up. Sworn, Feb. 6, 1681, before N. Saltonstall,* assistant.

William White deposed that Ela's wife came to his house crying that her husband had beaten her on the head, held up his knife in his hand and said he would have her heart's blood, so that she was afraid he would kill her. White said, "Alass, poore woman, I am sorry for you." "Sorry," said she, "if you will not entertaine mee & lett mee abide in yo^r house I will lie in the street in the snow & if I perish, my blood be upon yo^r head." She said the Captain was not at home and the constable and grandjury man were so far away that she could not go to them, etc. Sworn, Feb. 6, 1681, before N. Saltonstall,* assistant.

Benjamin Kimball, aged about forty-five years, deposed that he was at Ela's house fanning wheat on that day and when Ela came in his wife asked him to pay Hanell Clarke his honest due for his work. Ela told her to hold her peace and meddle with her own business or else he would pay her off. Then Ela asked deponent to go to the cellar with him to move a barrel and his wife asked why he did not draw the man a pot of cider. Ela called to the girl for the "cay" but his wife brought the key herself and he refused to give it to her again, which caused the quarrel. She followed deponent to the barn, crying and sniffing while he fanned two bushels of wheat, etc. Sworn, 6 : 12 : 1681, before N. Saltonstall,* assistant.

* Autograph.

Mary Hood, presented for fornication, was ordered to be whipped or pay a fine of 6li.

Abigaill Hart, presented for fornication, and declaring Daniell Jencks to be the father of her child, was ordered to be whipped or pay a fine of 3li.

Upon complaint and information of Joseph Pike, constable, that he had apprehended Robert Kam, who had beaten and abused George Hardy, assaulting him on the highway, and Tristram Coffin having engaged for Kam's appearance whereby he was released from the constable's custody and later escaped, court ordered said Coffin to pay costs.

John Stone of Beverly had his license renewed for a year.

Samuell Colby of Amsbury had his license renewed for a year.

Mrs. Ann White of Newbury had her license renewed for a year.

Court receiving an approbation from the selectmen of Marblehead of Mr. Christopher Lattimore for a license to keep a public house of entertainment there, granted him a license for a year.

Richard Norman, upon a like certificate, was licensed to keep a house of public entertainment for a year.

John Tod of Rowley was licensed to keep a house of public entertainment for a year.

Mr. Peeter Duncan had his license renewed for a year.

William White had his license renewed for a year.

John Sparke had his license renewed for a year.

James Kent of Newbury dying intestate, court granted administration upon his estate to John Kent, his son.

Mary Wooddam, widow, dying intestate, administration upon her estate was granted to John Ayres, her son-in-law.

Lidia Clement deposed that the trouble was during a great storm of snow, and hearing a noise in the street looked out of their door and saw Grelee between Ela's and Mr. Ward's going toward the Captain's. Ela's wife, so accounted, was going away when her husband came out with a cudgell, threatening her, so that she being not quick of foot was in danger, etc. Elizabeth Clement, her mother, also testified. Sworn, Feb. 16, 1681, before N. Saltonstall,* assistant.

* Autograph.

Mathew Petingall, having lost the sight of one of his eyes, was released from ordinary training, paying 5s. per year to the use of the company.

Court having heard the complaint of Robert Ring, with the answer of the marshal and constable, and having perused the papers against said Ring's son, judged the complaint frivolous and unjust, and dismissed the marshal and constable who were altogether innocent and faultless in the matter.

Thomas Smith and Martha Gilbert, for fornication, were ordered to be whipped or pay a fine.

Joseph Page was appointed guardian of Joseph Heath, son of Joseph Heath, deceased.*

Bartholmew Heath dying intestate, court granted administration upon the estate to his two sons, John and Josiah Heath. There being a deed of gift dated Mar. 12, 1668-9, and recorded at Salisbury, court ordered that the estate given in the said deed be according to that and what remained undisposed therein to be divided equally among the rest of the children, the eldest son to have a double portion.

Petter Greene and Peeter Brewer, bound over to this court for quarrelling and fighting, which was heard in court, were fined. Brewer's fine was to be used toward paying for two wolves killed by Samuell Davis of Haverill.†

*Petition of Joseph (his mark) Page of Haverhill to the Ipswich court, Mar. 28, 1682, that he had an interest in the estate of Barttolome Heath, deceased, who left a considerable property, since he had married the widow of Heath's son Joseph and had in his keeping a child of said Joseph. He asks for a chance to plead for the widow and orphan and that he be appointed guardian to the child.

†Warrant, dated Jan. 10, 1681, for the appearance of Peter Green upon complaint of Peter Brewer, for, upon the night of Dec. 7, 1681, at the house of Andrew Grelee in Haverhill, dangerously wounding him in the face, signed by Nath. Saltonstall,‡ assistant.

Samuell Pearson, aged thirty-two years, deposed that Joseph Grely's house was raised on Dec. 6, 1681, and after they had been at supper in the evening, Peter Brewer came in and quarrelled with Peter Green. They went out of doors and fought, Green striking the other with the end of a cane

‡ Autograph.

so his mouth was full of blood, etc. Sworn, 11 : 11 : 1681, before N. Saltonstall,* assistant.

Andru Grele deposed. Sworn, 30 : 11 : 1681, before N. Saltonstall,* assistant.

John Jonson, jr., deposed. Sworn, 24 : 1 : 1681, before Nath. Saltonstall,* assistant.

John Whittier deposed that as he sat by the fire talking with Goodman Graylee, etc. Sworn, 13 : 11 : 1681, before N. Saltonstall,* assistant.

Martha Page, wife of Cornelius Page, testified that Green told her that he called Brewer out to laugh and jeer at him, etc. Sworn, Jan. 14, 1681, before N. Saltonstall,* assistant.

Samuell Parker, aged about twenty-two years, and Thomas Eatton, jr., aged about twenty-one years, both of Haverhill, testified that being at Peter Brewer's house, etc. Sworn, 13 : 11 : 1681, before N. Saltonstall,* assistant.

Israel Hendrick testified that he heard Brewer say that Peter Green came in a poor coat but now "it is master Green in his stuf," etc. Sworn, 17 : 11 : 1681, before Nath. Saltonstall,* assistant.

Thomas Whittier, jr., deposed that Brewer said that Green was a pitiful fellow and came to town in a threadbare coat but now he could swagger every day in his serges, etc. Sworn, Jan. 17, 1681, before N. Saltonstall,* assistant.

Jotham Handrick testified that Brewer was sitting by the fire when Green came and stood by him, but the latter used no provoking words. When they went out to fight Christify Cannaston of Greenland caught hold of Green to stop him, etc. Sworn, 16 : 11 : 1681, before N. Saltonstall,* assistant.

Hanell Clarke, aged about thirty years, deposed. Sworn, 13 : 11 : 1681, before N. Saltonstall,* assistant.

Benjamin Greely, aged about twenty-five years, testified that Brewer came into his father's house after the raising of his brother Joseph's house, etc. Green was invited to the house-raising and to the refreshment afterwards. Robert Clement, sr., was also in the house, etc. Sworn, Mar. 25, 1682, before N. Saltonstall,* assistant.

Letter addressed "for y^e Honrd Cap^t Saltonstall:

"Hon^r Sir

"After humble Salutation &c att Peter Bruers request I am bold to informe you y^t y^e wound y^t was in his upper lipe went almost to his eye, into his nose & also into his mouth. it could not well be done accidentally becaus it was torne so many ways

"29th 1 m^o 82

Yo^r humble serv^t

"I have not rec'd anything for what I Jn^o Dole.*
did for him."

* Autograph.

John Sompeken, an Indian, convicted for pulling a woman who was in a delicate condition off her horse when he was drunk, was ordered to be whipped ten lashes and his skin of beaver and gun to be taken for his charges to the county.*

Upon petition of Mary Challis, court having at the ordering of the estate allowed her to sell off the waste land to the value of 10li. for the repairing of the said house, now impowered her to sell more waste land to the value of 10li. for the same purpose.

Ebenezer Browne, for throwing down a ladder upon Joseph Boynton's wife who was in a delicate condition whereby she was much hurt, was fined.†

*Warrant, dated Mar. 23, 1681-2, for the appearance of an Indian who assaulted the wife of Joseph Peasely near Robert Ford's in Haverhill, taking the advice and direction of Joseph Peasly and Phil. Eastman, signed by Nath. Saltonstall,‡ assistant, and served by Tho. Ayers, constable of Haverhill, who found the Indian. He said he was overcome with drink which he had at John Page's when he did it and he was sent by mittimus to Ipswich prison.

Order to the constable of Bradford to take the Indian to Ipswich prison, and to the keeper to receive him, dated Mar. 24, 1681-2, and signed by Nath. Saltonstall,‡ assistant.

John Page, jr., ordinary keeper, of Haverhill, in answer to the charge that he let the Indian have five pints of cider at his house, craved the liberty of the law in such cases to purge himself by his corporal oath, which was allowed. On Mar. 25, "I the said John Page, jr. doe upon the true faith of a Christian affirme that I am cleare and innocent as to the charge made, & do therefore sweare by ye Great & Dreadful Name of y^e Almighty God that I did not by myself or servants, or any other pson directly or indirectly give, sell, truck or barter any Cyder or other strong drink (prohibited to be traded wth Indians) to y^e said John or any other Indian then in company wth him according to his charge made against mee."

‡Joseph Boynton's complaint: that although his wife was now well, yet she suffered great pain for twenty-six weeks after Browne's "Rustick dealing with her," and had not been able to do anything in the house but sit in her chair. A great part of his own time was taken up in caring for her, and he had been to much expence in getting advice from midwives and others, all of which amounted to 48s. damage, etc.

‡ Autograph.

Hannah Hassen, Mary Bennet and Mary Lighton deposed that they were with her when the child was born, etc.

Joseph Boynton's bill of cost, 2li. 5s.

Hannah Hazen, Mary Leaver and Mary Leighton testified that on Aug. 25 last in the forenoon they went with others of their neighbors to Sarah Boynton when she received the hurt. They declared that she was a peaceable, quiet, well-carriaged neighbor. Sworn, 27 : 7 : 1681, before N. Saltonstall,* assistant.

Sarah Boynton testified that she looked out and saw Ebenezer Browne throwing down the cart ladders that stood up against the doorway where an ox of Goodman Browne's was shut up. She called to him that he could not have the ox unless he brought a half bushel of corn, as her husband charged her, or else old Goodman Browne was to promise to pay it. He went in and loosed the ox "in which time I set up one of the ladders, which was the foreladder of a cart & held it up: then he came with the ox & pressing against the ladder, told mee, you had as good let it alone it is not a woman that shall hinder me I will have him do what you will, then I charged him to go of from our ground, but he Refusing, I told him if you will come you must take what Comes for I will do what I can to hinder you: if you had agreed with my husband & brought a token I would not have s^d anything against it: then hee said the token is we must give you half a bushell of corn, not saying who should do it: then I said how shall I know that for I never did know of it before whereupon hee s^d will you not belleive mee: then I told him I must not trust anybody but old Goodman Browne upon this account, then he said my word is as good as my fathers, I am as Good a man as my father, but I durst not give any credit to it, then he s^d if you were a man as you are a woman I would stave out your braines Then the s^d Browne being in the hovell & having thrust off the ladder at a distance from the hovell at the top he plucked it suddenly to him & pluckt it out of my hand & throwing it suddenly from him the uppermost slot of it" struck her. She called to one of her children to prevent him from taking away the ox, and he said if she followed him he would stave out her brains. He called to the daughter, "Rotten Baggigs doest thou follow thy mothers steps, get thee home or I will drub thy coat." Sworn, Sept. 27, 1681, before N. Saltonstall,* assistant.

Sarah Boynton, aged between nine and ten years, deposed as to what her mother said, etc. Affirmed, 27 : 7 : 1681, before N. Saltonstall,* assistant.

Sarah Lighton, aged about nineteen years, deposed that

* Autograph.

John Tucker, for fornication, having been accused by Ann Gilbert, confessed and was ordered to be severely whipped and to pay for the birth and support of the child. She was ordered to be severely whipped and both were to pay equally for the prosecution. Upon petition of some in their behalf the corporal punishment was suspended and they were fined 6li. each.*

William Chapman and Elizabeth Smith were convicted of fornication, he to give security or marry her.

Grace Stout, convicted for stealing 18s. in money from Samuell Pearce, was ordered to pay 56s. to Pearce.†

she saw Browne come into the yard "with such a countenance as I concluded he was much moved," etc. Sworn before Daniel Denison.‡

Anne Plummer, aged about twenty-one years, deposed. Sworn in court.

Samuell Boynton, aged about twenty-one years, deposed that having lived with his brother Joseph the latter's wife was well enough before she was hurt to card for a spinner whom his brother hired and to carry on her family work. Deponent left there about a month before her child was born and she could do no work after she was injured. Sworn in court.

William Brown, aged about twenty-six years, deposed that Sarah, wife of Joseph Boynton of Rowley, came to his shop when he was at work, etc.

Sarah Boynton testified as to her suffering.

Mary Bennit, aged about forty-two years, and Sarah Spofard testified that they were near neighbors, etc. Sworn in court.

Sarah Lighton, aged about nineteen years, deposed that she was employed to spin at Boynton's house, etc. Sworn in court.

*John Tucker's bill of cost, 1li. 2s.

Petition of Mary Toucker, with John Toucker and An Gillburd, that the sentence of whipping for her son and maid be remitted and a fine substituted.

On Feb. 14, 1681, before the Worshipful Bartholmew Gedney, Esq., Ann Gilbert confessed to fornication with John Tucker. John Tucker was bound for appearance, with his father Andrew Tucker as surety.

†Moses Pengry, jr.'s, complaint against Grace Stoute: for stealing 7 shillings of money and some linen from him.

‡ Autograph.

His reasons were because she sometimes watched with his wife in the same room where these things were; because she passed daily by his house morning and evening to Good-wife Foster's where she worked, and when the theft was committed his wife was gone from home to see her friends where she continued about a month, and he also was away often; because they found a woman's thimble near the place where the linen was.

Samuell Pearce's bill of cost, 3li. 8d.

Account of the money Grace Stout has laid out since she came to Ipswich: for abusing the tithingman, 4s.; per Nath. Knoulton, 8s. 6d.; to Jno. Ayers, 6d., Mark Ayers, 9d., Eliz. Knoulton, 10s., Grace Sarl, 1s., 11s.; Tho. Newmarsh, 6s. 8d.; Hanna Newmarsh, wife of Jno. Newmarsh, 5s.; Thomas Dennise, 2s. 6d.; Saml. Searle, 1s. 8d.; one horne Bottle & one porringer, 2s. 6d.; Abigaill Dutch, 4s.; Martha Smith, 2s. 4d.; Moses Pearce, 3d.; Johanna Graves, 5s. 9d.; Docter Bennit, 2s.; Saml. Pearce, 6s. 8d.; William Hodgskin, 5s.; Eliz. Crose, 1s. 4d.; Sam. French, 6d.; Serj. Clarke, sr., 9d.; to Mrs. Towsey, for eye water, 1s.; Sarah Burnume, 6d.; total, 3li. 10s. 11d.

Samll. Pearce testified that when Grace Stoute lived with Deacon Knoulton, deponent laid out for her 6s. 8d. in money at Boston and Salem to buy lutestring and linen cloth. Sworn in court.

Samll. Pearce suspected that she stole 12 New England shillings, 12 New England three pence, 4 New England two pence and 3 or 4 old England shillings.

Account of what she had received since she came to Ipswich for work, etc.: of Deacon Knolton's wife, 9s.; from strangers at the house, 1s.; Mrs. Wenwright, for work, 1s. 3d.; Goody Starkewether, 2s.; Goody Moses, 2s. 6d.; Mary Newmarch, 2s.; for work of Rebeckah Barry and for a pair of gloves, 4s. 8d.; Martha Gaines, 1s. 6d.; Mary Hodgkins, 4s.

Phillip Foulter, aged about thirty-three years, testified that he inquired of Mr. Harison and his wife how Grace behaved when she lived with them and they said she was a notorious thief and she cost them ten pounds before she had been there half a year. Sworn in court.

Martha Lamson, aged thirty-four years, deposed that Grace told her several times that she had no money at all and when she came from Mr. Joseph Porter's she had two or three small bibs which she gave to Mary Dennis' children. Isaac Cummings, jr., who lived at deponent's house when Grace lived with them, often asked Grace to loan him money but she said she had none. Sworn in court.

Joseph Porter testified that Grace was his servant about two years and a half ago and he found her at his chest. Mis-

sing some money, he accused her of taking it and she gave it up. He then dismissed her. Sworn, Mar. 30, 1682, before Daniel Denison.*

Abigaill Dutch, aged thirty-two years, deposed that she had 2s. 6d. of Grace for knitting her stockings, of which Grace sent 1s. 6d. to Boston by deponent's husband to buy her one silver waistcoat hook, which he did. Sworn, Mar. 3, 1681-2, before Daniel Denison.*

Samll. Pearce, aged twenty-eight years, deposed that after the money was taken from Grace and Mr. Willson had tolled it, she called him into the other room and weeping said, "Good Master, petty my case & leate the ting pace & go no farther & tacke all that Mony, and all that I haue and I will bee yo' siruant & doe all that I can for you as longue as I liue." Sworn, Mar. 31, 1682, before B. Gedney,* assistant.

Receipt of Tho. Clarke, Sergt.,* to Grace Stoutt for 9s. in money for a foot stool.

Johanna Graves, aged about twenty-two years, testified that she had 5s. 9d. of Grace for some whisk and lace, ribin and lining cloth.

Jno. Lamson, aged thirty-nine years, deposed that Graves said when she lived with him that she had no money, etc. This was since she came from Salem. Sworn, Mar. 2, 1681-2, before Daniel Denison.*

Nathaniel Knoulton testified that Grace gave him money when he went to Boston and he bought for her a silver thimble, a bodkin and three yards of ribbon at 2d. per yard, all of which came to about five and six pence.

Moses Pearce testified that he received of Grace Stout 3d. for one gilt box.

Mary Donill, aged about thirty-five years, testified. Sworn in court.

Theophilus Willson and Jno. Pearce deposed. Sworn, Mar. 3, 1681-2, before Daniel Denison.*

Jno. Ayers testified that he sold some ribbon to Grace for which she paid to Eliz. Knoulton 6d.

John Hodgkins* and Alexander Marrick* certified, Mar. 25, 1682, that being at Boston on Mar. 17 in company with Mr. William Harrison at his shop and talking about Grace Stout's troubles at Ipswich, Harrison said that he had nothing to accuse her of for his part.

Samll. Searll deposed that he received 1s. 8d. in money of Grace.

Martha Smith, aged about twenty-six years, testified that she had 2s. 4d. from Grace for lace in 1680.

Elizabeth Knoulton and Grace Searle deposed that when

* Autograph.

Grace came to live with Deacon Knoulton she had no chest nor box but one tin tobacco box, which once she opened and showed them her money, not above 1s. or 18d., etc. Sworn, Mar. 3, 1681-2, before Daniel Denison.*

Arminell Tousey* received of Grace 1s. for eyewater last summer.

Mary Clarke, aged thirty-one years, and Ruth Boulton, aged about fifteen years, testified that they were talking with Grace about a shilling that was taken from Tho. Clark's daughter and she said she scorned to steal a shilling, that she had a way to get money that nobody knew and never should know. She further said she sold a box at Salem for 7s. Deponents testified that they saw Grace pay Doctor Bennit 2s. for physic. Sworn, Mar. 3, 1681-2, before Daniel Denison.*

Samll. Pearce testified that while Grace lived with him three months as a hired servant he had 18s. 8d. taken from a box and desk, some from his pocket in his chest. Sworn in court.

Mary Pearce, sr., aged twenty-four years, and Mary Pearce, jr., aged fourteen years, deposed that they said to Grace that they thought she had a pretty deal of money and she replied that if she had half of 20s. she would eat the keeler that then she was kneading bread in. Sworn, Mar. 3, 1681-2, before Daniel Denison.*

Hannah Knolton,* aged about thirty-five years, testified that she had received of Grace 6s. for a whisk and a bonnet. Thomas Knoulton witnessed his wife's signature.

Grace Hodgskin testified that Grace paid her 5s. for linen cloth which Grace bought of her son William Hodgskin.

Mark Ayers, aged twenty years, deposed that he was with Grace at Jno. Lamson's where she lived at his master Knoulton's and saw her give nine pence to Lamson's children.

Mary Pearce, sr., aged twenty four years, and Moses Pearce, aged fifteen years, deposed that they heard Grace say that since she came to Ipswich she gave 18d. in money for one horn bottle and 1s. for one earthen porringer. Sworn, Mar. 3, 1681-2, before Daniel Denison.*

Tho. Dennis deposed that Grace bought a carved box with a drawer in it of him in 1679, and it had two locks for which Grace paid him in money. Owned before Daniel Denison.*

Thomas Newmarsh testified that he laid out 6s. 3d. for Grace to buy one pair of stockings and one silver rump hook when she lived at his house.

Ales (her mark) Bracket affirmed that her son Samuell Word told her at her house before Grace Stout that she took 27s. in money and linen of his wife's. The money was found

* Autograph.

Joseph and John Woolcott, convicted of stealing wood from John Atkinson, were ordered to pay 6s. 8d. to said Atkinson.*

under a bed in his chamber in a cloth with some butter and sugar. The little while she lived with them, she was a liar and very naughty in all respects to him and his son's children and was not fit to live in any honest man's house. Wit: Moses Pengry, jr.†

*Warrant, dated Jan. 24, 1681, for the apprehension of John and Joseph Wolcot upon complaint of John Atkinson upon suspicion of stealing a parcel of cord wood cut by his servants in Newbury woods near John Webster's coal pit, signed by Daniel Denison.†

Hugh March, sr., aged about sixty-two years, testified that two or three years since Joseph Woulcoot sold two lambs of his to Joseph Knight of Newbury. When he heard about it he quickly went to Knight and took them, one being killed of which he had three quarters and the other alive. Woulcoot said they were his and received 2s. for them. William Muffet testified that Nath. Bricket told him that Woulcoot offered them to him but he feared that he had not come honestly by them. Sworn before Daniel Denison.†

Increase Pilsberry, aged about twenty-one years, testified that in 1680 being with Samll. Buckman, the latter said that George Peirce, Joseph Wollcot and himself went to the garden of James Smith when Wollcot took cabbages and put them into a bag. Pierce took down the rails and Buckman brought the beast to the rails. Deponent further said that that day on the way home Buckman desired him to go to Woolcot's house on the homeward way to drink a pot of cider. Goody Woolcot asked Bucknam if he had any more of the same and he replied "no, our boyes get them away." Deponent asked him on the way home what the same was and Buckman replied nothing but a dozen or two of eggs. Deponent asked him why he did not eat them at home, and he said his folks would not let him have any and he carried them where he could eat them. Sworn in court.

Joseph Knight, aged about twenty-nine years, deposed that the lambs had no marks, etc. Sworn in court.

Phillip Foulter, aged about thirty-three years, deposed concerning the marks, etc.

Cutting [Noyes?], aged about thirty-two years, deposed. Sworn in court.

John Webster, aged about forty-five years, testified that he met John and Joseph Woolcot in the woods with cord wood on a sled going toward home. Thinking it was his neighbor

† Autograph.

Atkinson's deponent said to them "Have you Got Sam Bukmans coardwood?" Later he asked John Woolcot if he came honestly by that wood and he said they cut it last spring. John Atkinson's son and Ephraim said it was their wood and they left it near a walnut tree on the hill and there were walnut trees on the other side. Wolcott said that the Atkinsons knew no more than a dog where their wood lay, etc. Sworn, Jan. 20, 1681, before Daniel Denison.*

John Webster testified that when his evidence was read before the Honored Major Denison at Mr. Clark's house, etc. Sworn in court.

Joseph Pike, aged forty-three years, testified that Major Denison told Buckman to go with deponent to where the wood was cut, etc. Sworn in court.

Thomas Noyes, aged about nineteen years, testified that Samuel Buckman, servant of John Adkinson of Newbury, etc. Sworn before D. Denison.*

William Muffet, aged about eighteen years, testified that he was working in the woods with Samuell Buckman who had a parcel of "lincks," about twenty with him, and asked him to go to John Woolcot's to eat them with him. He asked Goody Woolcott for the frying pan. "What will you doe with the friing pane," said she. "Frie some lincks," said he. "Wheaire had you them?" said she. "I toocke them out of my damnies Cubard," said he. "A very pretty trick," said she, and went and fried them and they all ate them, the children included. Buckman told him when he kept sheep he carried beer and cheese for his dinner and being at Goody Wolcot's house, she said that his master had pork and bacon enough and if he would bring a good piece of bacon she would boil it for him, for she had herbs enough. Deponent then informed his master of it who forbade him going to Woolcot's house. Sworn, Jan. 30, 1681, before Daniel Denison.*

Sarah Smith, aged about thirty-eight years, deposed that once when Joseph Woolcot was at their house he looked at a piece of ribbon in a chair and she watched him and saw him put it in his pocket. He delivered it to her when she told him that she would tell his father. Sworn, Jan. 30, 1681, before Daniel Denison.*

Recerd Thurly, aged above sixteen years, testified to Buckman's frying his dinner at Woolcott's. Samuel Buckman and Mary Woollcot testified to the same. Sworn, Feb. 6, 1681, before Daniel Denison.*

Ephraim Wheeler, aged about nineteen years, and John Atkinson, aged about fourteen years, deposed. Sworn, Jan. 30, 1681, before Daniel Denison.*

* Autograph.

Thomas Tewksbury, for not obeying the court's order to appear for not going to live with his wife, was to pay costs to the constable of Newbury.

Jerimiah Jewet was allowed cost in an action brought by Twiford West and not prosecuted.*

James Creeke, for heinous, lascivious and adulterous carriages with Elizabeth, wife of Luke Perkins, some of which acts were done on the Sabbath day when others were at the public exercises, and his carriage at the time of the trial when he declared that he accounted his kissing her to be good manners and as other men did, was ordered to be severely whipped or pay a fine. Part of his fine was respitted until the court take further order.†

William Moofeet and Ephraim Wheeler deposed that when the cabbages were stolen they all agreed if they were discovered to say they had leather in the bag. James Smith testified that he lost the cabbages, for which he had been offered 8s., the night that Woolcot had a husking. Sworn, Jan. 30, 1681, before Daniel Denison.‡

Samuel Buckman testified that the cord of red oak in controversy was cut by him, he being stinted to cut a cord a day for his master. Joseph Woolcut helped him with his work and then he helped Joseph, which was the whole truth of the matter. Joseph Woolcot testified to the same. Sworn, Feb. 6, 1681, before Daniel Denison.‡

*Copy of writ: Twiford West v. Jeremiah Jewett of Ipswich; for damage done in his hay, corn and apples by debarring West from the highway that leads to his land, the appraisers now having determined the amount; dated Mar. 21, 1681-2; signed by Robert Lord, for the court and town of Ipswich; and served by Robert Lord, marshal, by attachment of two oxen of defendant.

Bill of cost of Jeremiah Jewett, 1li. 10s. 6d.

"Jerimyah Jewet thes ar to certyfye you that my attachment being taken away from ought of the hand of the Martyall I do purpose to Lett fall my sute as to the concernment betwixt you and I for the present witnes my hand Twiford West. 1682 March the 27."

†Writ: John Edwards and John Browne v. James Creeke and the wife of Luke Perkins; for threatening to kill their creatures, killing their hens, and railing and abusing their wives and others; dated Feb. 4, 1681; signed by Daniel Denison,‡ and served by Theophilus Wilson,‡ constable. John

‡ Autograph.

Hadly was bound for Creeke's appearance; Luke's wife he could not find.

Mary Brown, aged about nineteen years, testified that she had seen Creeke kiss Perkins's wife several times and had seen her go into his shop when he was at work, pull up his hat, look into his face, tickle him and bring him drink, making a great deal more of him than she ever saw her make of her own husband. She had seen them kiss on the street which made deponent much ashamed to be seen in their company. On a Lord's day night Crick went down with his landlady into the garden. She said that it was not so but Crick said, "O yes Landlady you went once to show me the Hains in the Close." Sworn in court.

Elizabeth Deare, aged about eighteen years, deposed. Sworn in court.

Elizabeth Brown testified. Sworn in court.

John Browne, aged forty-five years, deposed that he went down to his pasture to turn hogs out of it and when he came back through some Indian corn in his orchard, he saw James Crick and Elizabeth, Luke Perkins' wife, tickling one another about the ribs. He was so ashamed that he went into his own house. One moonlight night near Haly's shop window at about nine o'clock when the moon shone very bright, he saw him kiss her. Sworn in court.

Edward Dear, aged about seventeen years, testified. Sworn in court.

Thomas Lovell, sr., testified that John Browne was at his house casting bullets and told him and his wife and family that Creek used to kiss Mrs. Perkins in Mr. Darby's orchard. They marveled that she should so carry herself with such a one as he, who was a poor fellow. Lovell's wife said she never saw any such actions and Lovell later asked Mr. Darby privately about it and he denied any knowledge of it. Then Lovell asked John Hadly, knowing him to be a civil fellow and living in the same house, and he said he never saw any uncivil carriages. Lovell also spoke to Creek about it who was very much troubled and went to Browne, who denied all that he had reported.

Goody Brown deposed that James was very violent and said he would kill all the hens that ever came there and "all this time nothing of Lukes wife apeard but her dish clout which she hangd on the dore: and after word Goode Edwards went to the window being open went and spoake to asking her why she Reuiled against her in giuing her the Lie Conserning the hen which was hard to Cry and the Clup goe which was hard by thre or four of her family: and then her husband coming in with his gunn said to him shoote the sow shoote her with y^e discourse Goode Edward withdrew from

the window and said come Let us goe: and of a suden Lukes wife flung a dishfull of Water on Goode Edward face." Sworn in court.

John Browne and Mary, his wife, deposed that the second or third Sabbath day after Mr. Hubbard had preached upon that text "Wherewithal shall a young man cleanse his way," they saw soon after meeting Creek go down into the orchard with Elizabeth Perkins. Mary said she had heard about the actions and now she might catch them if it were possible, so standing at the end window next to their orchard she could see them handling linen with their heads close together. Presently her daughter came in and said she saw them kissing one another, etc. Sworn in court.

Mary Browne, aged about nineteen years, testified that one day Perkins' wife was standing by her dresser, James Crick was setting on it and talking low to her, etc. Elizabeth Browne testified. Sworn in court.

Samuell Edwards testified that on Feb. 19, being a Sabbath day, Luke's wife was seen to be at home with James Crick after meeting was begun in the afternoon.

Edward Deare, aged about forty-two years, deposed that he had some company to help him at husking and he went into his parlor, etc. Sworn in court.

John Browne, aged forty-four years, deposed. Sworn in court.

John Hadly testified that John Edwards, sr., of Ipswich told him that he had kissed the wife of Hugh March of Newbury in the face of the court, and there was no harm in it. Luke Perkins testified.

John Hadly and Roger Derby testified.

Goodman Edwards and Mary Brown testified that Luke's wife said that Crick's bashful face, etc. Sworn in court.

Phillip Call testified that he lived in the house that Luke hired of Mr. Derby and boarded with Luke, while doing journeyman's work with John Hadly, and Hadly and Creek also boarded there. His landlady always carried herself as became a Christian and had the love of all the family as far as he could see by reason of her civil carriage to all. In the three months he lived there he never saw any kissing. Goodwife Edwards and the Browns had provoked her and she did once speak of shooting John Brown's son who so afflicted them.

James Creek testified that, if there could be no agreement unless he acknowledged himself guilty of the indictment, he would rather choose to stand on the judgment of the court because he was clear of the things charged against him.

Thomas Lovell, jr., testified that he dressed leather for

Sarah Stickney, widow, declaring that John Atkinson was the father of her child, the latter desired to be tried by jury. They found him guilty and he was ordered to pay 12s. for the jury, 8li. for the past maintenance of the child and to pay said Sarah 2s. 6d. per week until the court take further order.*

John Hadly, who was a lame person, and often carried the leather to his house and never saw any incivility. He had heard Creek often tell of his preservation when in the service of the country in the wars with the Indians and he seemed to be much affected that he was spared when so many were killed, "saying he was put to fight hard for his life, and it is well known that he is a good marksman with his Musket and of great currage. I knew him living by him all the time of his Apprentisship with goodman James and I never knew him other than civil."

Roger Derby† certified that much of the trouble had been caused by John Harris' maid servant who brought into John Edwards' house a lump of sugar and gave it away, whereupon Derby said he thought her master should know it to prevent further trouble. This maid had been the cause of many differences between Harris' and Edward's wives, of which their husbands did not approve, etc. When Luke and his wife were returning from Amesbury, etc.

*Sara Stickney's bill of cost, 7li. 6d.

Anna Cheny, aged about thirty-eight years, testified that the widow Stickney told her that the child was Samuell Lool's and she would have had him marry her and carry her to Providence, but he said he had no money. She said she had money enough. He told her that he would be back from sea by the next Christmas and would then marry her, etc. Sworn, 30 : 10 : 1681, before Nath. Saltonstall,† assistant.

Joseph Pike, aged about forty-three years, deposed as to what Sarah told him when he served the writ. Sworn in court.

Jonathan Haynes and Sarah, his wife, deposed that Sarah never lisped the name of Mr. Jno. Atkinson in connection with the child, etc. Sworn, 10 : 30 : 1681, before N. Saltonstall,† assistant.

Jonathan Haynes and Sarah, his wife, testified that after Sarah came from court at Salem where she was fined she said that the court did not regard the sin so long as they could get the money. Sworn, 30 : 10 : 1681, before Nath. Saltonstall,† assistant.

† Autograph.

John Atkinson was ordered to pay 26s. for striking Sarah Stickney.*

Court being desired upon Walter Fairefeild's motion that his first license for keeping ordinary in Wenham be renewed for the ensuing year, and intimation being made that the first obtaining of it was not so clear as might have been desired, also the town seeming to desire that the license be otherwise granted, court granted said Fariefield license to keep the public house in that town until the September court, 1682, for selling and drawing by retail what he had on hand. At the expiration of that time the town was to be heard and to have the court's decision either for renewal of Fairefield's license or a new one to some other person, propounded according to law, Fairefield to observe the condition and restrictions made by the court at the time of his obtaining his first license.

Richard Prior, for fornication with Mary Williams, was committed to prison until he gave security in 30li. to save the town of Ipswich harmless from all charges about the child.

John March, with the approbation of the selectmen of Newbury, asked to have his license renewed to keep ordinary there, and court being informed that he had removed from the place where he first lived when his license was granted and Hugh March complaining that it will be a damage to him to grant license to any other than the one who shall live in said Hugh's house which he fitted for that use, the matter was referred to the September court next. Said John was given liberty to draw and sell by retail what wine, liquors, and other strong drink he had on hand and to provide what beer he needed until that time for the keeping of such a public house. At the next court the town could make any new proposal for ordinary keeper.

In answer to the petition of Thomas Ivory, it appeared that Mary Davis, widow, of a great age and for these four

*Sara Stickney's bill of cost, 2li. 5s.

Sara Stickney's complaint for striking her with his staff so that her child fell almost into the fire, etc.

William Morse, aged sixty-seven years, and Joshua Morse, aged twenty-seven years, testified that John Atkinson said he struck her. Sworn, Mar. 27, 1682, before Daniel Denison.†

† Autograph.

years past bereft of her understanding and infirm of body, had been maintained by her son, the petitioner, and court ordered Mr. Thomas Laughton, sr., and Mr. Francis Burrill, sr., to sell enough of her estate to pay said Thomas for his time, 4s. per week for the past and at the same rate for the future, and also to pay for her funeral when it pleased God to take her from this life.*

Mary Joanes of Gloster dying intestate, Benjamin Joanes, her son, presented an inventory of her estate and was appointed administrator, he to bring in to the next Salem court an account of debts due from the estate.

John Page, for selling drink to the Indians, was fined 40s.†

*Mary Ivory, aged forty-three years, testified that her mother Davis is deprived of her senses and had been an extraordinary care and trouble. Only for natural affection she could not have undergone such care for twice as much as her husband demanded, for she is as helpless as a child. "Considering that it is the hand of god, I desire not to think much at anything I can doe for her." Sworn at Lyn, Mar. 29, 1682, before Thomas Laughton,‡ commissioner.

William Crofts, aged about seventy years, testified that about Feb. 13, 1677, the widow of Jynkin Davis, came to the house of Thomas Ivorye and had been cared for there ever since. When Ivorye's wife went away she had someone there to tend her. He heard Thomas Ivory demand of the tenant John Davis the rent toward the maintenance of his mother and he refused. Sworn at Lyn, Mar. 29, 1682, before Thomas Laughton,‡ commissioner.

Anne Croft, aged about eighty years, deposed that her son Thomas Ivorye told her that John Davis had brought his mother there, and deponent told him to care for her because she and John's wife could not agree and she ought to be with her own daughter. She told her son that he would be no loser for it because authority would see that he was paid for it. Sworn, Mar. 29, 1682, before Thomas Laughton,‡ commissioner of Lyn.

†Petition of John Page, jr.,‡ of Haverhill upon Merrimack: "An Indian called John haveing y^e 22th of March last fallen into an offence did thinking thereby to excuse himselfe before Capt. Saltonstall charge me wth letting him have five pots of cyder, upon w^{ch} Capt. Saltonstall summoned me before him and tendred me an oath of purgation according to Law w^{ch} I did not take because I had y^t day when I & another

‡ Autograph.

COURT HELD AT IPSWICH, MAY 9, 1682, BY ADJOURNMENT.

Joseph Flecher was granted license to keep ordinary at Salsbury until the next March court.

Quartermaster Perkins had his license renewed until March court next.

Left. Ossgood had his license renewed until March court next.

Marchent Wainwright had his license renewed until March court next.

John Wainwright had his license renewed until March court next.

John Webster's daughter, Mr. John Rogers' servant, and Pricilla Carrell, Capt. Appleton's maid, presented for folding and frizzling their hair, and none appearing to give evidence, were discharged.*

Upon hearing the case of Newbury and Topsfield concerning Evan Morice, court determined that he belonged to Newbury, but if he should be a heavy charge that Topsfield should contribute a third part.†

weere drinking a quart of Cyder y^e Indian being present given him a little in the bottome of y^e pott. And because I was not fully Certaine what my man or others of y^e house might have done in y^e kind. upon this I was returned to Court, & judgment upon y^e case entred w^{ch} (considering y^e evidence against me, & my strait condition) I trust this Hon^d Court w^{ch} I now humbly crave y^e favour of." He asked that his fine be remitted.

*Warrant, dated Apr. 14, 1682, for the appearance of those presented by the grand jury on Mar. 28, for folding their hair, frizzling and knots, and for wearing silk scarfs, Martha Gay, Mary Gay, Mary Rogers, the daughter of Mr. Samuall Rogers, Mary Browne and Elizabeth Browne, the glazier's daughters, Abigaill Metcalfe, Elizabeth Perkins, wife of Luke Perkins, Martha Watton, John Webster's daughter who lives with Mr. John Rogers and Pricilla Carrell, Capt. Appleton's maid; also to John Chubb, for drunkenness, with Robert Crose and Elizabeth Nellson as witnesses; Joanne Smith; Samuall Bishop, with witnesses Jacob Perkins, Tho. Lovell, sr., John Aniball; and Philip Fowler, with witnesses, Benjamin Newman's wife, Simon Stace, Goodman Lull, Calleb Kimball, Samuall Hart's wife, Mr. Tuttle, signed by Robert Lord,‡ cleric, and served by Nath. Rust,‡ constable of Ipswich.

†"At a meeting of the Selectmen of Newbury March 14:

‡ Autograph.

Upon complaint of John Allen and Phillip Grely against the selectmen of Salsbury for defect in the summons which did not declare the complaint, which was for not giving in their estate to the rates according to law in 1681, they alleging that they were not provided to answer, it was referred to September court next. Those complained of were Henry

1681 : 82 Wee the Selectmen of Newbury do order & appoint Sergt. Nathaniell Clarke to warne Euan Morris out of the Towne of Newbury. James Ordway, Francis Browne, John Bartlet, Joseph Baily, Selectmen." Copy made by Anthony Somerby,* clerk.

On May 3, 1682, the same selectmen ordered Sergt. Nathaniel Clarke to answer the complaint of the town of Topsfield at the adjournment of the Ipswich court. Copy made by Anthony Somerby,* clerk.

At a Topsfield town meeting on Mar. 7, 1681-2, it was voted that John How and John Gould prosecute at the Ipswich court to prevent Evan Mories from being a townsman at Topsfield. Copy made by John Gould,* clerk.

Isaicke Estey, John How and John Gould, sr., testified that Mories had been out of their town four or five years and said, when asked, that he lived in Newbury. They further testified that by order of the town they warned him out of town last fall when he first came from Newbury.

On Dec. 20, 1681, the selectmen voted to warn Morris out of the town of Topsfield to Newbury, and if he did not depart, Ensign John Gould and John How were to complain to authority. Copy made by John Gould,* clerk.

"Even Morris heaue bin an inhabitent this thirty years in topsfeld & heaue born lot & scot for the sattling of the towne, in building of the metting house & the parsonadg house & in carring on of all publick Charg: euen morris do affirm that thear was but three men in the towne that payed mor to a reat at a time then he did for many years together."

Daniel Peirc* and Thomas Noyes* declared on 9 : 3 : 1682, that Even Morris offered to come to keep sheep and they objected because he was an old man and might be a charge to the town. He answered that they need not fear because he was provided for in Topsfeld if he were otherwise than well. Thereupon they agreed with him at so much a week and to take his pay and be gone out of the town. He did so several seasons. Everything he earned he spent in Topsfeld, even for a suit of clothes, and he was never settled in one family for more than a few weeks.

* Autograph.

Browne, Henry True, Robert Ring and Nathaniell Browne.

Elizabeth, wife of William Fanning, presented for opprobrious, vile carriages and drunkenness, was ordered to be severely whipped and pay costs.*

Jeremiah Watts, complained of for matter of great moment, tending to the scandalizing of many both ministers and others of good credit by his papers and letters, yet considering that they were in private to the persons, was admonished.†

*Summons, dated May 4, 1682, signed by Samuel Appleton,† assistant.

Joseph Dole, aged about twenty-four years, deposed that on May 1, 1682 he was at William Fanning's house and saw the latter's wife strike him in the face. Sworn, May 4, 1682, before Samuel Appleton,† assistant.

John Ally, aged about thirty years, deposed that he also was at Fanning's house when Fanning's wife called "Is that roge Ally here: by God I will splitt his brains out," and ran after him with a hatchet whereupon he was forced to leap over the fence for fear of his life.

Edward Richeson, sr., and Stephen Grenlefe, sr., the former a tithingman, went to Fanning's house where he found Fanning in drink and his wife very outrageous in her language crying out murder. Richeson caused the door to be broken open and she threw a whole brick at Henery Luke's head with all her might. When her husband's leg was broken, she came to him and said "O pore ould roge, is thy leage broke i will leke it hole," etc. Sworn, May 4, 1682, before Samuel Appleton,† assistant.

John Dole, aged about thirty-three years, testified that he saw her strike John Meers on the head and felled him to the ground and upon getting up, she struck him down again where he lay for dead and was taken up and carried into a house very ill, etc. Sworn, May 2, 1682, before Samuel Appleton,† assistant.

Jno. March, aged about twenty-three years, testified that he saw Fanning's wife beating her husband, etc. Sworn in court.

†Summons, dated Salem, May 3, 1682, to Jeremiah Watts, for speaking scandalously of the ministry and writing offensively against and concerning the leaders of churches in this place, and to Thomas Heines and Daniell Ray as witnesses, signed by Bartho. Gedney,† assistant.

Bill of cost of the constable of Salem, for Daniel Andres and John Putnam, etc.

† Autograph.

Letter addressed "This for M^r Burrows liuing in Sallem Villig."

"M^r Burrows: Sir when I came unto you with our neighbours the last weake I was dissapoynt^d of my intention in the maine thing I aimed att because of your freinds & my Judg m^r Gerrish: the thing I aimed att was & is this: this Villige is aiming to make it A towne: which is all verry nessiary work & beneficiall unto us: but how can this be accomplisht in A way of god when brother is against brother & neighbours against neighbours all quarelling & smitting one another: will this incurig neighbours to Joyne with us to the worke: secondly ye aime to erect A church in this place which also is A good work don in gods way: but how is it provibill in this poisture we are in: therefore I did intend to propound this thing unto you with the Rest with us: that you would consyder of A way to prepaire for such a worke by seting forward private Christian meetting amongst us that we may come together: for to knowe one anothers sperits: & that diferences may be healled & so united together: will a Righous & holy god owne contention & strife: will the forme of godlynnes sarue onely without the power: this will sarue turn to sett up som usurping lords to smite & trample apone there fellow brethren but such foundations will not stand before A Just & holy god: but againe these private Christian meetings is our christian priuileg wherein Christians are to exhort & edify one another by speaking often one to another to declare our greiuances one to another & help one another: the minister should be the leading man in this worke: but I doe perseiue that ministers doe aime to bring all to pulpit preaching & there they may deliuer what they please & none must object: & this we must pay largely for: our bread must be taken out of our mouths to maintain the beasts mark: & be wholly depriued of our Christian priuileg: these practises the scripture doth euery whaire condemn: this is the time of Anti christs' Reine & he must Reine his time: & now are the witnesses slaine: & the leaders in churches are there slayers: which I shall sufficiently proue: for I doe intend to draw up the marks of the beast Antichrist which preuaille in our tims but I see plainly its a vaine thing to debatt about these things with our fellow brethren for they are all for lording of it & trampling under foot: therefore I shall aply myselfe to our honored fathers: for if felow brethren haue that priuileg to Judg there one case & Raine as lords ouer one another: then we need not to Chuse magistrats to Rull: you asked me this question when I was with you: why I was so slited of the sositys I haue bin with: now I shall giue A true answer which none of my aduarsarys can

Jeremiah Elsworth, for charges about a prisoner and for hue and cries while he was constable at Rowley, was allowed 13s.

John Vinson dying intestate, his father William Vinson of Gloster was appointed administrator of the estate.

Mr. George Carr of Salsbury dying intestate, administration upon the estate was granted to Elizabeth Carr, the relict, and to George Carr, his eldest son, and James Carr, who were ordered to bring in an inventory to the next Salem court.

Caleb Kimball of Ipswich dying intestate, administration upon the estate was granted to Hanah Kimball, the relict, who was ordered to bring in an inventory to the next Ipswich court.

Upon complaint against Benjamin Joanes of Gloster for abusing his boy, court ordered that the boy be committed to the selectmen of Gloster for his education, said Joanes to pay 20s. in money to the county. Thomas Rigg's costs were 20s.*

deny: the Answer is this: because I am singled out alone to giue my testimony for Christ discovering Antichrists marks which apeare in the land privately amongst those I haue had sositie withall: its sartain true when Antichrist Rains: if any will be faithfull for christ they must witnes against Antichrist which is self loue & louers of pleasurs more then louers of god: these must be hated by Diotrephes who loueth preeminence: the witnesses are now slaine but shortly they Rise againe.

"Aprill 11.

Jere: Watts."†

*Warrant, dated Apr. 28, 1682, for the appearance of Benjamin Jones and Eliazabeth his wife upon charge of shamefully beating a child. William Sanders, who had been ordered to be taken away from them, and also for Timothy Day and Phebe Day, his wife, and James Davis as witnesses, signed by Daniel Denison,† and served by Thomas Riggs,† constable of Gloucester.

Bill of cost, 18s.

Hanah Clarke, aged about nineteen years, testified that she had seen them whip the little boy, beat him on the head and kick him about the house. She spoke to them about it and Jones' wife said the more people talked of it the worse it would be for the child. Sworn in court.

Temothy Day, aged about twenty-six years, deposed that

† Autograph.

William Saunders, servant to Benjamin Joanes, having been taken from his master by the court on account of great abuse by beating, was given into the hands of the selectmen of Gloster who were ordered to place him out with any suitable person upon the best terms they could make, and report to the court for confirmation.

In the case of Daniell Gott against Thomas and Joseph Browne, the latter were ordered to pay 20s. each to the county and 10s. each to Daniell Gott for their abuse of him.*

John Atkinson of Newbury, being the reputed father of Sarah Stickney's last child, complained that he is hard put to it to pay all charges, and court ordered that half of his payments should be in money and the other half provisions or clothing for the said child at money price.

they had beaten this fatherless boy as many as a hundred stripes in one day so that his flesh was bruised and black. Sworn in court.

Thomas Riggs and James Davis, selectman and grand-juryman, went to Jones' house to search the child and found him very black from his shoulders to his hips. Sworn in court.

*Daniel Gott's bill of cost, to Samuel Cobbet, Joseph and Thomas Brown, etc., 3li. 6d.

Daniell Gott, jr., aged about fourteen years, testified that he saw his father go to drive Joseph Brown's cattle out of his rye which was sowed on land that his father and Brown hired of John Keassar of Haverill. Gott said he would send them to the pound, but Joseph and Thomas Brown held his father and challenged him into the swamp to fight. They also punched his mother. Daniell Gott, sr., testified to the same. Sworn, May 9, 1682, before Daniel Denison.†

Daniel Gott, jr., deposed that he turned the cattle out of the rye into the highway and Brown's boy put them back. Joseph Browne told his boy to keep them there. Sworn, May 9, 1682, before Daniel Denison.†

Daniell Gott, aged about thirty-six years, deposed that Joseph Browne and his brother Thomas, etc. Sworn in court.

Mary Gott testified that Browne kicked her brother Daniell. Elisabeth Gott testified to the same. Sworn, May 8, 1682, before B. Gedney,† assistant.

Elizabeth Gott, aged about thirty-six years, deposed that she was in her husband's orchard, etc. Sworn in court.

† Autograph.

Major Appleton fined John Davis, Nicolas Rich and Peeter Yarrington for misdemeanors.

Benedict Pulsipher, jr., convicted of being with Steephen Crose's negro aboard Crose's sloop, stealing wine, sugar and biscuit to the value of 36s., was ordered to pay half the treble damages to said Crose and to be whipped.*

*Petition, dated May, 1682, of Benedictus Pulsephar:†
"It is a great grief unto me that my Child should be found in such folly and sinne; and I have examined him about it as much as I could do and by what I can learne the Negro that did belong to the sloop for the manageing of her at sea, who was servant to Stephen Cross part owner of the sloop, I say, the said Negro did Intice my Child to committ that vileness, for he the said Negro (who is very well known a wicked person) came to my son, told him that if he would go to the sloop along wth him he would giue him as much sacke as he could Drink and because my son knew that he went in the vessell, viz. the sloop thought it no harme so went along with him, where the said Negro gaue him those things that appeared afterwards to be stollen out of y^e sloop and my son was but of a very weak capacite (I pray God to give him more understanding) Therefore might easily be Inticed by such a person as was y^e said Negro belonging to the said sloop: that my son is but of a weak Capacitie appeared when I put him to the Great scooldame, viz. Goodwife Collens, who was accounted aboue many for that facaltie of Teaching Children to Read; to her my son went to scool the space of four years in which time he could not be brought by her to know his Letters, shee complaining, she never amongst all that ever she Taught (who kept scool and did little elce) for y^e space of above thirty years saw any so Dull to learne hauing in a manner no memory: Then from her I putt him to scooll unto Mr. Andrewes who I thought would learne him if he were capable to Learne of any bodie, and with him he was the space of two years; but in all that time Mr. Andrewes could not bring him to Learn any sense though to know some of his Letters || which soon after he forgott || and when I asked Mr. Andrewes what he demanded for his pay Teaching my son, he Answered that he had taken more pains then ordinary to Teach my son, but he was not capable of Learning and therefore was ashamed to ask anything: yet I sattsified him to his content. Therefore my humble petition is that the honoured Court would be pleased to consider my Child, conserning the Negro his inticing him who was of so

† Autograph.

William Smith was bound to answer the charge of Johana Smith, for fornication, his uncle William Smith and Simon Stace being sureties for his appearance.

Joannah Smith, for fornication, was ordered to be whipped, but upon payment of a fine the corporal punishment was remitted.*

weak Capacitie, and y^e Negro being a person known to be so bad, although his Master did often savorily correct him, and as I understand he sinse at the eastward lately did much what the like euill That his Master sold him for lesse then he would or might have done had he been better, And my son did never the like before nor sinse: nor then I do believe had not y^e said Negro Insnares him by his Insinuations, for my son hath told me several times, that he thought it was y^e said Negro his things and my son being of so weak Judgement believed him knowing that The said Negro did help manage the vessel or sloop at sea, and commonly kept in her when harboured: I therefore begg and Intreat y^e honoured Court to extend as much Pitty and mercy as in them lies Towards my Child, so I Rest, Comitting you to the Care and protection of y^e Almighty."

*Joanna Smith's† petition, May 10, 1682, that the court would have "compassion upon an unworthy poor wretch y^t hath deserved the rigour and extremity of the law. I am, in some measure sensible of my great sin in provoking God, the eyes of a jealous God, and humbly beg your prayers and the prayers of the people of god for mee. I am young, besides my naturall wicked inclination, being subject to the temptations of the aduersarye, and his wicked suggestions. Poor wretch that I am, I haue dishonored God, disgraced myself, and my poor freinds, I humbly lye at the feet of your mercy," etc.

Jobe Smith, aged nineteen years, deposed that he was at the house of his brother John Smith the night that Johanna Smith charged his brother William Smith with uncivil carriages. They all sat by the fire and then Johanna went to bed in the parlor and he heard her shut the door and William went up into the chamber to go to bed with his brother John. Deponent lay by the fire and saw no uncivil carriages.

Warrant, dated Dec. 14, 1681, for appearance of Robert Cham upon complaint of George Hardy, for assaulting and shamefully abusing him on the highway in the night, signed by Daniel Denison.† Upon information and complaint of constable Joseph Pike, that Tristram Coffin having given

† Autograph.

Elizabeth Gould, for fornication, was ordered to be whipped, but upon payment of a fine the corporal punishment was remitted.*

John Chubb, presented for being drunk, was fined.

John Ring, being by court in Setpember, 1680, ordered to pay 2s. 6d. per week for bringing up Martha Lampson's child, court now orders that from September, 1681, one shilling, six pence be taken off.

Mary Redy, for fornication, was ordered to be whipped, but upon payment of a fine the corporal punishment was remitted.†

Nathan Webster was discharged of his presentments.‡

bond for Robert Cam's appearance and Cam having escaped, Coffin was ordered to pay.

*Elizabeth Gould's petition that her sentence be mitigated: "I confes I haue sined against god and my owne consince and therby haue dishonored god and the contrey and haue brought shaim upon myself and Relations," etc.

†Petition of Mary Redy§ that her sentence be remitted, she being "a poor destitute Creature & from all my neer friends, though I hope I haue some here in New England, I desire that your Honours would be pleased to show mercy to me, and I desire your prayers for me that I might reform & leave of all such wickednes through Gods help who is able to saue me."

‡Warrant, dated Apr. 4, 1682, to Nathan Webster upon his presentments about killing a tame deer, for lies and for breach of the peace, also summons to William Savery, Robert Swan, sr., Caleb Hobkinson, Nicholes Walingford, Robert Savery, Mary Savery and Samuell Stickny, as witnesses, signed by Robert Lord§ cleric, and served by John Tenny,§ constable of Bradford.

John Emery, aged twenty-four years, deposed that one time last winter he heard Thomas Stickne say that they would make an honest man of Webster whatever they did with the rest. Sworn in court.

Copy of Nathan Webster's complaint, dated Oct. 31, 1681, to Major Generall Daniell Denison, Esq., and other papers in a similar action, Nov., 1681, in Salem court.

John Emerry, aged fifty-four years, deposed that a short time after the discourse between Nathan Webster and John Watson, Samuel Stickney, sr., came to deponent's mill to grind and he asked said Stickney about the great stir in the

§ Autograph.

house and he said he was sitting by the fire smoking a pipe of tobacco and did not pay much attention to it. There was a great stir in the entry but there was but little light in the house and he could not see.

Israel Webster, aged thirty-eight years, deposed that John Teney was at his house talking with his wife about his brother Nathan. She said "onc you tould me that if the best of men had all theyr faults wrighten in theyr foreheads they would be ashamed, wherefore then are you so critical with brother Nathan: then said Teney Nathan had up beniamin kimbal for cursing and would not put it up. and his oath was taken against so many honist men and they weare disgrased therby then said I my brother is sory that such a diferanc should be amongst neibours teney said exept the plaister be as bigg as the sore it will not doe for he disgrast us openly in the face of the cuntry and we canot beare to be disgraced by him but what we doe we doe to humble him." Sworn in court.

William Savery deposed that having occasion to go to Capt. Walker's he saw a deer with a red collar around its neck at the house of Thomas Stickny and when deponent went back he saw that Nathan Webster had killed a deer. He asked Webster why he killed his deer and Webster asked him what his earmark was. Deponent said he had not marked the deer. Sworn in court.

Samuell Stickney and William Savery deposed.

Samuell Haselton, aged thirty-four years, and John Haselton, aged twenty-four years, testified that being with Nathan Webster at Newbury Falls, etc.

Caleb Hopkinson, aged about thirty-two years, and Nicholas Walingford, aged about twenty-six years, deposed that the night following the day that Webster shot the deer near where Thomas Stickney dwells, they asked Webster why he would shoot a deer with a red list around its neck. They said it was probably David Wheeler's. Sworn in court.

John Emerry, aged fifty-four years, deposed that Webster came to his house and said he had killed a young buck and asked if he knew who had a tame deer for he would give it to whom it belonged. Sworn in court.

Robard Swan, sr., aged fifty-six years, deposed that he was going to Newbury through Mr. Phillips' farm and helped Webster carry the deer into Phillips' house at Bradforth and dress it. Goodman Savery's son came by and said he had killed his deer, etc. Sworn, 8 : 3 : 1682, before N. Saltonstall,* assistant.

Mary Savery, aged about fifty years, deposed that Nathan

* Autograph.

Thomas Bettes, for stealing and running away, was ordered to be whipped and pay treble damages, to Tho. West, Savory, Robt. Haselton and Stickny.*

Administration granted to John Downeing of the estate of Richard Brabrooke and the agreement made between John Downeing and his mother-in-law, Joane Brabrooke, which was acknowledged by them both in court last March, was confirmed. John Beare was to enjoy that land at Wenham and to have three acres of marsh about the "hommok" of rocks, said Beare paying the debt contracted by Tho. Patch to Marchant Wainwright for said Brabrook's use.†

Webster said that her son William Savery did not make any disturbance that night, etc. Robert Savry testified to the same. Sworn in court.

*Warrant, dated Apr. 4, 1682, to John Symons' servant, for stealing six shillings from Thomas Stickney, and summons to witnesses, Robert Hazelton and John Symons, signed by Robert Lord,‡ cleric, and served by John Tennie,‡ constable of Bradford, who went to give notice to Thomas Bettes and found that he had run away.

Bill of cost, Thomas West for taking the boy up, carrying him to his master, watching all night with him, taking him to the Worshipful Major Saltonstall and then to the constable of Bradford; John Tennie,‡ constable of Bradford, costs for serving the warrant on Thomas Bettes, who "had played some new pranks," and "horses being in the woods that wear fit for service I spent a pretty deal of time to procure a man to haue him to prison, etc.

Robert Haseltine testified that Thomas Stickney told him that he suspected Thomas Bettes of stealing six shillings from him and asked deponent to go with him to Goodman Simons to see if he could get it. The latter accused his servant and went into the house and received the money, returning to it deponent. Sworn in court.

†Deed, dated Oct. 20, 1669, from Richard (his mark) Braybrooke,§ of Ipswich, yeoman, in consideration of a marriage to be solemnized between John Downing of Ipswich and his daughter Mehitabell Braybrooke, to said Downing and Mehitabell, one-half of the farm he now dwells upon on the south side of Jubague river in Ipswich, with houses, barns, etc., reserving six acres of marsh, the benefit whereof he had appointed in time to come to be transferred to his farm at Wennam, and three score pine logs already fallen within the

‡ Autograph.

§ Autograph and seal.

Mary Williams forfeited her bond for appearance, and she was ordered to be whipped unless she pay the bond or 3li. in money.

Margret Alexander, for fornication, was to be whipped. Upon payment of a fine the corporal punishment was remitted.

Thomas Bettes, servant to John Simmons, often running away and being incorrigible, said Simmons was discharged of his obligation of teaching the trade of a weaver.

Mr. William Cogswell having taken Thomas Bettes, who was sentenced to be whipped, and paying 40s., said Bettes had his corporal punishment remitted, and in consideration of his master Cogswell buying off his whipping, he agreed to serve him one year more than the time of his indenture and the six months ordered to serve his master Simmons by Ipswich court, Mar. 29, 1682. Jo. Sparke was allowed charges.

Phillip Fowler was presented for abusing his servant, Richard Parker, and although court justified any person in giving meet correction to his servant, which the boy deserved, yet

bounds of the farm he now dwells on; John was to carry on the whole farm during the lives of said Richard and Jone, his wife, and if he paid 100li. before the death of Richard and his wife, they should enjoy the whole farm as their own. Wit: Willm. White* and John (his mark) Pinder. Acknowledged, Nov. 3, 1669, before Daniel Denison.* Recorded, Mar. 18, 1669, among the records of lands for Essex at Ipswich, book 3, folio 43, by Robert Lord,* recorder.

Copy of an action, Richard Brabrook v. Corp. John Gage and William Whittered, 30 : 4 : 1663, in Salem court.

Deed, dated May 29, 1656, from Edward Harrendon,* of Ipswich, for 114li., to Richard Brabrooke of Ipswich, all his house and land that he bought of Thomas Knowlton, administrator of the estate of his brother William Knowlton, and what he had of the town, about 150 acres, on Chebaco river, bounded by the land of John Burnam on the southwest, the line between Gloster and Ipswich on the southeast, land of John West on the northeast and the marsh of William Whittred and other broken marsh on the northwest. Wit: Robert Lord* and Henry Kingsbury.* Acknowledged, May 2, 1681, before Daniel Denison.* Recorded, Mar. 23, 1669, in the records of lands for Essex at Ipswich, book 3, folio 145, by Robert Lord,* recorder. Sarah, wife of Edward Harraden, gave her consent.

* Autograph.

they did not approve of the manner of punishment given in hanging him up by the heels as butchers do beasts for the slaughter, and cautioned said Fowler against such kind of punishment. He was ordered to pay costs.

Richard Briar, being charged with a prisoner, Benidict Pulsipher, who was sentenced to be whipped and to pay half the treble damages to Steephon Crose, let him escape and run away.*

John Bridg dying intestate, Major Genrll. Denison, Esq. and Major Appleton, Esq., on June 20, 1682, granted administration upon the estate to Henry Gould, who was ordered to bring in an inventory to the next Ipswich court.

Receipts and expenditures of the Ipswich court from 1667 to 1682:

March term, 1667, received from fines and fees, from Sam. French, Lidia Browne, Obadia Bridges, Stephen Crose, William Andrews, Joseph Gidding, Robert Crose, jr., John Andrew, jr., Alister Grime, John Woolcott, Rachell Clenton, 48li. 10s. 10d.; paid to Jo. Lighton, Sam. Moody, Mr. Baker, Major Hathorne, Mr. Payne's maid, Jo. Woolcott, Thomas Thurla, etc., 33li. 7s. April term, received from William Charles, Ezekiell Woodward, Thomas Bishop, 10li. 12s. 10d.; paid expenses at Mr. Baker's, etc., 3li. 9s. September term, received from Danyell Hovey, Joseph Evely, Abraham Robinson, Joseph Safourd, Holick Country, for Jo. Lighton, 29li. 4s. 10d.; paid for Mr. Bradstreet's action, Mr. Perkins'

*William Muffet, aged about nineteen years, testified that "being appoynted to keep in Custody (wth another man with me) Charls Connaugh & Richard Bryar after y^e execution of whipping at Newbury for some offences y^t they had committed; the sayd Bryar being in a garret in y^e tavern & soon after he was punished began wth great Singing & presently after kneled down against a Chest & sayd he would go to prayer, & further sayd y^t if he had known he should have come to y^e ordinary & stayd so long there, he would haue brought his money & would have been as drunk as Davids son; & furthermore y^t Joseph Woolcot came up & commanded him y^t he was of such a stout heart & y^t he was not daunted: & furthermore y^t y^e s^d Bryar told ym y^t he did not value his whipping y^e skip of a flea onely for a little shame & y^t it smarted onely a little upon one side."

actions, Mr. Willson for Hanfoud, expenses at Mr. Baker's, 19li. 1s. and at Deacon Pengry's for the grand jury, 1li. 17s. 2d., total, 29li. 19s. 8d. Nov. term, received from Peeter Nash, Obadiah Bridges, John Pinder, jr., John Pinder, sr., 3li. 15s.; paid expences at Mr. Baker's, allowed for Sam. Roberts, 8li. 10s.

March term, 1668, received from fines and fees, from Wm. Sprage and Hellen Chard, Robert Crose, for his servant Nicholas Bouden, John Webster, 25li. 1s.; paid to Elizabeth Fryer, to the keeper of the prison for salary two years, 6li., expenses at Mr. Baker's, 20li. 12s. 2d.; total, 32li. 2d. September term, received from Thomas White, Tho. Hobs, John Leeds, 9li. 8s. 4d.; paid to Mr. Batter, expences at Mr. Baker's, 13li. 8s. 4d., expences at Deacon Pengryes, 1li. 7s. 8d., at Quartermaster Perkins', 17s. 4d., paper, 6d., etc., total, 18li. 1s. 4d.

March and April, terms, 1669, received from James Foud by Mr. Symons, John Godfry, Abraham How, Tobiah Perkins, Daniell Wood, Elizabeth Gater, Hen. Bennett, Elizabeth Randall, Jo. Woolcott, Peeter Tappan, Thomas Maning, John Maning, Caleb Kimball, Marke Quilter, Thomas Wells, John Downeing, Peeter Strickland by Nath. Wells, John Chubb, 39li. 3s. 4d.; paid, expences, at Mr. Baker's 26li. 16s. 2d., at Quartermaster Perkins for the grand jury, 2li. 10s., to Silvester Evely, constable, Henry Renoll, Joseph Prince, etc., 43li. 13s. 8d. September term, from Evan Morice, Daniell Ela, Samuell Moody, Daniell Mussellaway, John Edwards, Marke Quilter, 12li. 6s. 2d.; paid, expenses at Mr. Baker's and Quartermaster Perkins', etc., 13li. 9s. 8d.

March term, 1670, received from Daniell Pearce of Newbury, John Webster, John Death, and wife, Phillip Fowler, Thomas Bolancher, Mr. Edward Woodman, 27li. 2s.; paid 12d. to Mr. Bradstreet to give where he lodged, paper, 8d., to Samuell Moody, expences at Mr. Baker's and Quartermaster Perkins, to Capt. Gerrish from Jo. Webster, etc., 28li. 19s. May term, received from Steven Crose, Edward Cogswell, Constance Longhorne, etc., 13li. 8d.; paid for expences at Mr. Baker's 3li. 14s., repairing the prison, 3li. 8s., Mr. Willson's salary, 3li., total, 11li. 7s. September term, received from Daniell Pearce of Nubery, Wm. Tittcombe, Robert Crose,

Wm. Damford, Wm. Tittcombe, Henry Jaquis, Thomas Thurlay, Frances Thurlay, 13li. 6s. 8d.; paid, expences at Mr. Baker's, etc., 18li. 13s.

March term, 1671, received from Symon Stace, Jonathan Lomas, Nathaniell Warner, Samuell Younglove, George Major, John and Thomas Edwards, John Perly, Joseph Armitage, etc., 27li. 5s.; paid, the marshal from Jo. Edwards, expences at Mr. Baker's, 17li. 17s. 4d., grand jury at Quartermaster Perkins', 3li. 7s. 6d., Mr. Willson's salary, 3li., total, 29li. 7s. 4d. April term, received from Josiah Clarke, Henry Bachelour, Thomas Dennis, Sarah Warr, Thomas Johnson, Mr. Woodman and company, Mr. Gilberd, 82li. 12s. 2d.; paid, to Mr. Baker, 8li. 8d., Quartermaster Perkins, wine for both sessions, 1li. 3s., to Daniell Peirce and Richard Kent, etc., 16li. 6s. 8d. September term, received from Sergt. Thomas White, Mathew Perry, Daniell Buttler, Mr. Gilbert, Tho. Lovell, Lawrance, John Harker, Fran. Wainwright, Mr. Symonds, Evan Morrice, Ens. John Gould, 14li. 13s. 4d.; paid, to Samuell Moodye, expences at Quartermaster Perkins', 12li. 3s. 10d., at Mr. Baker's, 2li. 10s., total, 18li. 16s. 10d.

March term, 1672, received from Daniell Borman, Rich. Bedford, Wm. Lanchester, John Lee for Wm. Holdred, Patrick Morrin, Thomas Chubb, John Hobbs, 59li. 11s. 6d.; paid to Robert Ayres, Zachery Herrick, Robert Hebbard and his daughter, John Person of Rowley for mending a bridge, 14s., expences at Quartermaster Perkins, 18li. 18s. 4d., grand jury at Mr. Baker's, 4li., total, 43li. 3s. 4d. May term, received from Nathaniell Lennard, Thomas Lennard, Thomas Andrews, Nathaniell Wood, George Smith, Andrew Peeters, Obadiah Bridges, Thomas Dennis, Peeter Tappan, Robert Bedle, Mr. Crosbie, Peeter Jenkins, Quartermaster Perkins, Edward Lomas, Robert Adams, Laurance Clenton, 13li. 13s. 6d.; paid to Phillip Fowler, Mr. Ezekeiell Rogers, Mr. Burr, etc., 10li. 6s. 10d. September term, received from Samuell Watts, Daniell Butler, Frances Cole, Elizabeth Stanley, John Hobbs, Samuell Plumer, Marke Quilter, 17li. 12s. 6d.; paid to Jonathan Moore, etc., 21li. 8s. 10d.

March term, 1673, received from town of Topsfield, Robert Crose, John Thomas, Wm. Dodge, Abraham Martin, goods

in the constable's hands of Wenham, Frances Thurley, Peeter Leycross, Symon Wood, Jonas Gregory, Nath. Emerson, Rich. Pasmore, John Leigh, Sarah Row, John Hobbs, Tho. Knowlton, 58li. 10s.; paid to John Gould, Thomas Bishop's action and father's fine, etc., 35li. 10s. 8d. April term, received from Ens. Thomas Chandler, Mary Greely, David Bennett, Capt. Paul White, Joseph Leigh, John Roberds, 11li. 3s. 6d.; paid to Samuella Hunt, Mr. Bradstreet, to a law book, 4s., etc., 5li. 14s. September term, received from John Pearce and wife, Anthony Morse, John Leigh, Joseph Leigh, Dan. Clarke, Sam. Pepon, Thomas Menter, Rich. Passimore, Peeter Lacrose, Tho. Attwood and wife, John Baker, Nath. Wells, Sam. Smith, Hanah Button, Joseph Fowler, Phillip Fowler, etc., 53li. 15s. 2d.; paid to Jer. Elsworth from Patrick Morrins fine, Daniell Borman, Daniell Roffe, etc., 30li. 17s. 10d.

March term, 1674, received from Samuella Hunt, sr., Samuella Hunt, jr., John Line, Wm. Wormwood by Capt. Gerrish, Tho. Davis, Tho. Shaddock, etc., 24li. 16s. 8d.; paid for expences, paper, 1s., etc., 34li. 5s. May term, received from Sarah Woolcott, Samuella Mighill, John Wattson, John Chubb, Tho. Knowlton, Goodwife Hunt, Freegrace Norton, Richard Holmes, Walter Fairefield, note from Dep. Gov. Symonds, etc., 12li. 13s. 4d.; paid Clerk's fees, etc., 14li. 3s. 4d. September term, received from John Attkinson, Tom. Indian, Samuella Younglove, Samuella Hunt, Abigaill Lynden, John Downeing, 19li. 19s. 2d.; paid to John Hathorne, etc., 27li. 7d. November term, received from Rich. Dole's negro, John Hale's negro, Capt. John Weaver, Thos. Lovell, sr., Thos. Lovell, jr., Obadia Wood, Nath. Browne, Samuella Hunt, etc., 6li. 3s.

March term, 1675, received from Roger Darby, and Lucrecia, his wife, Nathaniell Chapman, etc., 25li. 12s. 6d.; paid to Topsfield abatement on bridge fine, Mr. Willson's salary, 3li., etc., 39li. 15s. 3d. April term, from Daniell Ela, Thomas Ally, Jo. Gamage, Andrew Heiden, John Chubb, Thomas Dennis, Mr. Willison for an Indian, John Jackson, 31li. 2s. 6d.; paid for 3 Indians brought from Gloster by Wm. Sargent, constable, 15s., to Andrew Heiden, for whipping 2 Indians, 12s., etc., 5li. 11s. 4d. September term, James Fry, Steven Parker, John How, Mr. Duncan, James King, John Browne,

Jo. Baker, John Pickard, Arthur Abbot's wife, Pulsifer, Haniel Bosworth's two daughters, Mary Chapman, Margret Lambert, Roger Darby and wife, John Kindrick's wife, Tho. Knowlton's wife, Obdaiah Bridges' wife, etc., 29li. 2s. 6d.; paid to the clarke for a book to record land and a law book, 1li. 9d., to the clarke by cider to the quartermaster, 11s., etc., 20li. 16s. 4d.

March term, 1676, received from Martha Gilbert, Samuel Leach, Wm. Wattson, Henry Gould, Abraham Jewett, Hanah Poland, Edward Stone, Rich. Dole's negro, Jo. Andrews, Mingo Dole's negro, John Tenney and Richard Bartlett, etc., 30li. 19s. 2d., paid fees and expences, 24li. 17s. 5d. September term, from Benjamin Roff's negro, Joseph Browne, Roger Darby and wife, Hanah Lovell, etc., 13li. 5s.

March term, 1677, received from Mr. Jonathan Wade, Joseph Steevens, Ephram Foster, Ephram Steevens, Nathan Webster, Joseph Gutridge, Richard Woodbery, Joshua Richardson, Caleb Richardson, Edward Ordway, Richard Carr, Thomas Leonard, Blaze Vinton, Samuel Moore, John Lee, Abigaill Morse, Sarah Gowin, Jos, Mr. Wainwright's negro, Hanah Howard, etc., 79li. 2d.; paid for expences, etc., 36li. 4s. 6d. April term, from John Whityer, Mary Knight, Steeven Lavener, John Mitchell, George Major, Moses Hagget, Christopher Bowles, etc., 3li. 4s. 2d.; paid to Thomas Knowlton, John Kindrick, John Pearson for charges about Thurell's bridge, 39li. 3s. September term, received from Thomas Thurla, Lawrence Clenton, Mary Woodden, John How, etc., 26li. 12s. 6d.; paid for expences, 27li. 3s. 5d. November term, received from Jacob Addams, Roger Darby, Sam. Lad, Robert Crose, James Tenny, etc., 9li. 15s.; paid, 15s.

March term, 1678, received from Thomas Giddings, and wife, Samuel Perkins, Peeter Shamway, James Chute, Phillip Fowler, Tho. Baker, Daniell Clarke, John Lee, Quartermaster Perkins, Jacob Hardee, Caleb Boynton, 35li. 15s.; paid to expences at Quartermaster Perkins, 16li. 5s. 11d., expences at Goodman Sparkes for the grand jury, 4li. 10s., to the house, 10s., 26li. 11d. April term, received from Rowly, old Looke, John Downeing, Timothy Johnson, Rich. Bedford, Jonas Gregory, Sam. Perkins' wife, Peeter Shamway, Capt. Wm. Gerrish, 43li. 3s. 4d.; paid for Jonas Gregory's salary, 1li.,

expences, 5li. 13s. 7d. September term, 1678, received from Thomas Tenny and Wm. Tenny, Tho. Thurla, Benjamin Webster, Joseph Marshall, John Browne, 22li.; paid to John Sparke for the grand jury, 4li. 14s. 10d., etc., 20li. 7s. November term, received from Nath. Todd, Elizabeth Holmes, Martha Smith, Jo. Walden, Walter Wright, Martha Gilbert, Luke Perkins, Susana Hart, Gershom Lambert, Phillip Fowler, James Dickenson, Bryer, Howlet, Thurla, Lunt's wife, Sarah Savery, Jo. Baker, Hanah Hoberd, 11li. 5s. 10d.; paid, 9li. 14s. 2d.

April term, 1679, received from Sarah Gilbert, Joseph Killam and wife, Johnson, Symon and Annis Hoare, John Browne, John Dent. Mr. Sameull Phillips, 26li. 17s. 6d.; paid 29li. 12s. 4d. September term, received from Dynah Marshall, Wm. Hodgkins, Pulsipher, and wife, Jo. Pulsipher, Sarah Short, Hanah Adams, John Barry's wife, Abell Pilsbury and wife, Wm. Faning, Jo. Baker, Frances Quilter, Ann Pegy, Goodman Lovell, Wm. More, Wm. Longfellow, William Danford, 29li. 3s. 8d.; paid, 22li. 10s. 3d.

March term, 1680, received from Mr. Davison, Lt. Ossgood, Pheby Newmarsh, Benjamin Pearson and wife, John Sady and wife, John Wheeler and wife, Samuell Lomas, Mr. Jer. Hobart, Walter Fairefield, Joseph Miricke, 33li. 7s. 6d.; paid to John Emry, and expences, 36li. 6s. 11d. May term, received from George White, Major Pike, Thomas Elitrop, Sam. Cluffe and wife, Daniell Ela, Samuell Gatchell and wife, Thomas Thurla, John Brown, John Griffen, John Pindar, Zacheas Perkins, Nath. Wells and wife, etc., 25li. 12s. 6d.; paid, 7li. 14s. 2d. September term, received from Sam. Eaton, Ben. Grely, John Ring, Jacob Maning, Martha Lampson, Zachry Curtin, widow Bridges, Sam. Worster, John Coming, 22li. 13s. 4d.; paid, 21li. 17s. 2d.

March term, 1681, received from Sara Lambert, Richard Long and wife, Anstis and Marget Maning, Elizabeth Perkins, Luke Perkins, Wm. Longfellow, Sarah Stickny, Edward Phelps, Francis Quilter, John Downeing, Henry Bennet, Wm. Hayward, William Armitage, 53li. 7s.; paid, expences, 26li. 13s. 8d. September term, received from John Towne and wife, John Bager of Newbury, Daniell Killam, Joseph Parker and wife, Joseph Peasly, John Baker, Hugh Stone

of Andover, John Page of Haverill, 32li. 7s. 8d.; paid, 26li. 2s. 10d.

March term, 1682, received from Daniell Ela, Abigaill Hart, Mary Hood, taken by Mr. King of Salem, Tristram Coffin, Thomas Smith, Martha Gilbert, Peeter Brewer, 22s. 6d., to pay for two wolves to Sam. Davis, Peeter Greene, Ebenezer Browne, Tucker and Gilbert of Marblehead, Elizabeth Smith, James Creeke, John Page, John Attkinson, 43li. 9s. 6d.; paid, to the clark fees from Peeter Brewer and by a new booke for the court, 3s., expences at Quartermaster Perkins', 20li. 17s. 2d., expences by the grand jury, Capt. Saltonstall, and Marshal Skery at Jo. Sparkes, 4li. 12s. 3d., total, 28li. 12s. 5d. May term, received from Joseph and Thomas Browne, Benjamin Joanes, Joanna Smith, Elizabeth Gould, John Chubb, Mary Reddy, Margreett Alexander, Mr. Wm. Coggs well for Thomas Bettes, 18li. 19s.; paid to the marshal for cider for the court, 2s. 6d., expences, etc., 5li. 3s. 4d., The marshal's salary for eight years at 3li. per year, 24li.

Joanes Gregory, aged about twenty-four years, testified that about nine months since at Renold Foster's house he heard William Whitred say that he had no marsh on the further side of Harrendien's creek. Said Whitred had had land there, but had given it up and had taken up land at his farm. Sworn, June 24, 1663, before Daniell Denison. Copy made by Hilliard Veren,* cleric.†

Rate made, Nov. 17, 1679, for the elder's salary: Capt. Applton, 1li. 5s. 10d.; Major Applton, 1li. 9s.; Mr. Andrews, 8s. 3d.; Edward Alline, 13s. 10d.; John Anable, 6s. 3d.; Sam. Ayers, sr., 8s. 4d.; John Andrews, sr., 1li. 1s. 2d.; John Andrews, jr., 8s. 4d.; John Adames, 18s. 2d.; Nath. Adames, 13s. 7d.; Sam. Ayers, jr., 8s. 9d.; Tho. Ayers, 7s.; John Ayers, sr., 4s. 2d.; Nehemiah Abbet, sr., 8s. 11d.; Tho. Atwood, 9s. 4d.; Arther Abbit, 4s. 2d.; Will. Andrews, 7s. 4d.; Simon Adams, 5s. 2d.; Sam. Ardawaye, 5s. 2d.; Sam. Adames, 5s. 2d.; John Bridg, 4s., Crise Boales, 6s. 7d.; James Burnum, 8s. 8d.; Haniell Bozwell, 6s. 3d.; Sergt. Bruer, 6s. 3d.; John Bruer, jr., 7s.; Joseph Brown, 7s. 4d.; John Brown, glazier, 4s. 6d.; Job Bishop & sister Bishop, 5s.; Tho. Borman, 19s.; Ed. Briges, 10s. 2d.; Sergt. Belcher, 8s. 4d.; John Baker, 8s. 4d.; Henry Benit, 1li. 14s. 4d.; John

* Autograph.

† See *ante*, vol. 3, p. 74.

Brown, farmer, 8s. 4d.; Tho. Burnum, jr., 7s. 4d.; Nath. Brown, jr., 8s. 4d.; Ed. Brage, 18s. 7d.; Moses Bradstreet, 14s.; John Berrye, 19s. 4d.; John Burnam; Mr. Berrye, —; Major Genl. Denison, 18s. 6d.; Samuel Dutch, 5s. 2d.; Thomas Denis, John Day, 7s. 3d.; John Dean, sr., 11s. 9d.; John Dean, jr., 9s. 4d.; William Durgey, 6s. 4d.; John Downing, 7s. 3d.; Daniell Davison, 12s. 5d.; John Dresser, 2s. 10d.; Thomas Day, 10s. 2d.; Samuel Dodg, 11s.; Thomas Dow, 9s. 9d.; Hopkin Davis, 5s.; Daniel Epps, sr., 11l. 15s. 4d.; John Edwards, 12s. 2d.; Nath. Emerson, 16s. 10d.; Nath. Elithrop, 8s. 6d.; Petter Emens, 5s. 6d.; Thomas Edwards, 10s.; Joseph Euley, 10s. 4d.; Joseph Fuller, 4s. 2d.; Nath. Fuller, 4s. 2d.; Phillip Fowler, 10s. 4d.; Reynold Foster, sr., 7s.; Jakob Foster, 7s. 2d.; Thomas Fossey, 4s. 2d.; Joseph Fellows, 13s. 4d.; Insign French, 5s. 2d.; Thomas French, 7s. 9d.; Samuel French, 4s. 2d.; Samuel Fellowes, 10s. 2d.; Abraham Fitts, 14s. 6d.; Renold Foster, jr., 12s. 5d.; Walter Fayrefield, 1s. 5d.; Mr. Farlow, 13s.; Joseph Jewet, 4s. 2d.; Nehemiah Jewet, 8s.; John Jewet, 9s.; Samuel Ingalls, 11l. 5s.; Nath. Jakob, 5s.; Thomas Jakob, 10s. 11d.; John Kimball, 12s.; John Knowlton, sr., 9s. 10d.; Joseph Knowlton, 4s. 2d.; John Knowlton, jr., 4s.; Caleb Kimball, John Kindrick, 6s. 6d.; Deacon Knowlton, 11l. 5s.; Thomas Knowlton, 6s. 11d.; Robert Kinsman, 11l. 6s. 1d.; Daniel Killam, 17s. 3d.; Daniel Killam, jr., 6s. 3d.; Thomas Killam, 4s. 2d.; Nath. Lamson, 4s.; Joseph Lee, 10s.; Thomas Lull, 9s.; Robert Lord, sr., 12s.; Robert Lord, jr., 13s. 7d.; John Leyton, 6s. 3d.; Thomas Lovell, 13s. 10d.; Edward Lumus, 10s. 10d.; Richard Lee, 9s.; Jno. Lee, 5s. 2d.; Thomas Low, 16s. 7d.; John Low, 11s. 5d.; Lewis Leford, 4s. 2d.; John Lamson, 11s.; Samuel Lumos, 5s. 7d.; Petter Lurevey, 3s. 6d.; Benjamin Marshall, 5s. 8d.; Thomas Marshall, sr., 4s. 2d.; Thomas Marshall, jr., 5s. 2d.; Joseph Marshall, 4s. 6d.; Thomas Medkef, 12s. 6d.; The Milne, 15s. 2d.; Samuel Mosses, 7s. 1d.; Daniel Maning, 4s. 2d.; Abraham Martyn, 5s.; Mr. William Norton, 9s. 10d.; John Newmarsh, sr., 19s. 4d.; Benjamin Newmarch, 10s.; Thomas Newman, 6s. 3d.; John Newman, 6s. 4d.; Edward Nereland, 7s. 1d.; Thomas Newmarsh, 5s.; John Newmarsh, jr., 8s. 3d.; William Nellson, 4s. 4d.; Henry Osborne, 9s. 2d.; Moses Pengry and Aron, his son, 9s. 10d.; Moses Pengry, jr., 4s. 10d.; John Pengry, 6s. 7d.; Quartermaster Perkins, 16s. 7d.; Andrew Petters, 13s. 10d.; Benedict Pulsifer, 9s.; John Pullsifer, 4s.; Serjant Perkins, 11l.; Jakob Perkins, jr., 13s. 6d.; Isaack Perkins, 7s. 6d.; Abraham Perkins, 18s. 5d.; Aron Pengry, sr., 9s. 10d.; widow Peirce and her son, 9s. 4d.; Thomas Perrin, 4s. 2d.; John Pinder, 8s. 4d.; Anthonie Potter, 11l. 4s. 3d.; Joseph Proc-

ter, 13s. 5d.; Benjamin Procter, 8s.; Samuel Podd, 4s. 2d. John Polland, 9s. 8d.; Timothie Perly, 7s.; Samuel Perly, 8s. 8d.; Mathew Pery, 4s. 8d.; John Pickard, 3s. 2d.; Thomas Perly, 1s.; Mr. Robert Payne, jr., 7s. 8d.; John Potter, 5s.; Samuel Perkins, 4s.; widow Quillter, 4s. 8d.; Joseph Quillter, 10s.; Mr. Will. Quarles, 11s. 2d.; Mr. Samuel Roggers, 13s. 8d.; Nathll. Rogers, 4s.; Walter Roper, 12s. 6d.; Fenell Rosse, 4s.; John Rose, —; Kilecris Rose, 14s. 2d.; John Ringe, 18s. 8d.; widow Reding, 4s. 2d.; John Rogers, sadler, 5s. 3d.; Daniell Ringge, 5s.; Mrs. Symons, 4s. 2d.; Mr. Epps, for Argila, 1li. 8d.; John Stanford, 6s. 3d.; Rich. Shatswell, 10s. 4d.; Rich. Smith, 1li. 14s.; John Starkwether, 4s. 6d.; Tho. Smith, jr., 6s. 3d.; Sam. Smith, 5s. 3d.; John Smith and his son 8s. 4d.; John Safford, 6s.; Will. Story, 12s. 1d.; Samuell Story, 4s. 2d.; Will. Story, jr., 4s. 6d.; Seth Story, 5s. 4d.; Isake Swaine, 4s. 2d.; Joseph Safford, 10s. 1d.; John Sherwin, 9s. 3d.; John Sparks, 10s. 6d.; Symon Stase, 18s. 9d.; Georg Stimson, —; John Sadey, 4s. 6d.; Mr. Tuttle, 11s. 2d.; Samuell Tayler, 5s. 7d.; Tho. Tredwell, 9s.; Alex. Tomson, 4s. 6d.; Will. Tomson, 8s. 4d.; Barnard Thorne, 9s. 5d.; Nathall. Tredwell, 13s.; Abram Tilton, 4s. 4d.; Mr. Wade and his son Tho., 1li. 19s. 2d.; Rob Whitman, 4s.; Ob. Wood, 6s. 5d.; Sergt. Waite, 4s. 4d.; Tho. Waite, 4s. 2d.; Mr. Wainwright, sr., 4li. 10s.; Mr. John Wainwright, 1li. 5s.; Danell Worner, sr., 8s. 4d.; Nathll. Warner, 7s.; Daniell Warner, jr., 10s. 5d.; John Warner, 10s. 5d.; Samuell Warner, 4s. 6d.; Jo. Whipple, 2li. 1s. 8d.; Corpll. Whipple, 1li. 1s.; Elihu Wordall, 7s. 3d.; Isaiah Wood, 16s. 7d.; Will. White, 3s.; James White, 13s.; Nickles Wallis, 17s.; Twiford West, 14s.; Nathll. Weles, 1li. 15s. 10d.; Sherbon Wilson, 7s. 8d.; Rich. Walker, 8s. 8d.; Joseph Whipple, 9s. 7d.; Simon Wood, 8s.; John Wood, 4s. 11d.; Mr. Willard, 17s.; Sam. Yonglove, jr., 7s.; Fransis Yonge, 7s.; Weaver at widow Piper's house, 4s.; Zakara Curtis, 4s.; total, 156li. 13s. 2d.

Mr. Zerobabell Endecott's bill of cost, Joseph Hutchinson, witness, etc., 8s.

Copy of petition of Nathaniel Putnam to the General Court, Oct. 12, 1681, at Boston, made by Edward Rawson,* secretary: "Whereas ther was a Difference between the Reverend M^r James Allen and M^r Zerobabell Endecott about the bounds of ther farmes within the Limitts of Salem this Honoured Court was pleased to appoint a Committee to settle the same which comittee In persuance of the order of this court (although I will not say willfully and on purpose) Yet hath either for want of Right Information Concerning

* Autograph.

the bounds of ther Lands or some mistake in Runnig ther lines to make M^r Allen sattisfaction for what land he wants of his Complement of acc^m belonging to his farme, have taken away my land which I bought and have possessed & Improved neare this fourty yeares: and leave M^r Endecott still to Enjoy all his land which he claimes allthough what now he Enjoys is severall scores of acc^m more then his first grant was and I apprehending myself very much ronged by the Comittees act and being loath to loose what is properly and legally my owne Estate have still made use of my land as I did for Thirty yeares agoe and more for which M^r Allen sued mee to Salem Court where he was cast and appealed from thence to the last Court of Assistants where we had a Tryall and then I was cast greatly to my damage the prinsiple caus therof as I aprehend was becaus the Comittee of the Gen^l court had so acted and I was then tould by the honoured Gouverno^r and others upon the bench that if the Comittee of the Gen^l court had wronged me I must address my self to the Gen^l Court for Releife unto home I doe now In all humillity address myself humbly desiring this honoured Court seriously to Consider of the great rong which Contrary to the lawes of this Jurisdiction I have and am like to suffer and to take some speddy cours for my Releife either by ordering another Committee to settle and Determine the bounds of o^r land or to grant mee a hearing of my Case In either of which wais I doubt not but to be Righted the land Taken from mee was lately uallued by men Chosen by M^r Allen to be worth sixty pounds and well it might I having possessed it so long and laid out so much upon it that a good quantity of it is become good meadow which is considerable and the more to me leying neare my dwelling hous."

Copy of answer to this petition of Nathaniel Putnam and Joseph Holton of Salem, in relation to the settlement of the bounds between them and Mr. James Allen of Boston: Court ordered that Mr. Edmund Batter and Lt. Wm. Johnson of the former committee, together with Capt. Fisher, Capt. Wait and Mr. Mansfeild, be a committee to go to the place of the controversy and endeavor to settle the bounds justly and equally and to make return to the next Court of Election, Capt. Fisher appointing the time of meeting.

Copy of the return of the foregoing committee to the General Court at Boston, May 24, 1682, made by Edward Rawson,* secretary: Mr. Zerubabel Endecot's attorney, Left. Felton, appeared, but refusing to give caution to have his case heard which was granted by the last court, Mr. Putnam being present and being willing to proceed, court received

* Autograph.

the committee's return. They examined the property on 15 : 9 : 1681, and the next day met the persons concerned, having a copy of the original grant of Mr. James Allen's farm from the Salem town book, together with the copy of Mr. Endecott's farm which was next adjacent, and laid Mr. Allen's farm out as follows, being guided by the record of it: "Wee began at an old Hemlock fallen downe and lying by the side of the old sawmill place, from thence wee ran south, sixe degrees & thirty minutes east one hundred and sixteene pole to a stake, from thence wee ran North seventy one degrees west, fower hundred pole to a great maple old marke A standing a litle westward of a swampe, and by a brooke in that place, thence north sixe degrees and thirty minutes west to a popular tree old marked with A: from thence wee ran seventy nine degrees east one hundred & fuety sixe pole to a stake (eastward of the old orchard) standing by the side of a bridge, from thence in a direct line to Another bridge Called Hadlocks bridge, to a Rocke lying in the brooke by the side of the bridge, and from thence in a direct line to the first Hemlock which last line is according to a former agreement betweene M^r James Allin & Nathaniel Putman for the settling of their bounds in that place, betweene them within the lines mentioned as Conteyned three hundred aceres according to first grant of it to M^r Bishop; Also wee haue Added eight acres to the former bound at the north east corner of the sawmill place (according to Salem Reccord of M^r Bishops farme as aforesaid) bounded by the water of the brook that divides betweene M^r Endecott and M^r Skelton: Also wee haue ordered the surveyor Jonathan Danforth to make a returne of the aforesaid farme this 18th 9^{mo} 1681."

John Whitier's* petition dated Dec. 1, 1681: That at a court held 26 : 9 : 1674, his brother Edward Whitier had obtained administration upon his father's estate, and said Edward was now dead and there was nobody left to pay him his legacy which he was to receive at the age of twenty-one. Said John asks that he be appointed administrator.

Edward Deare, aged about forty years, deposed that Martha Neland was at his house sometime the past winter and deponent was speaking of her brother Phillip's hanging up one of his boys. She said it was not the first time that Phillipe had done this, for one time he bade the boy put his legs together which he did and then he tied his legs and hung him up by the heels.

Josiah Piper* certified on Dec. 7, 1681 that "comeing home out of the woods from worke last Fryday night, ouer tooke:

* Autograph.

Samuel Hyde Indjan in the Island between the Bridge and the house at the Island." Hyde asked who Margaret laid the child to and if to the little fellow, he must keep it; but if he owned it himself he would have to keep it. Sworn, Dec. 30, 1681, before Daniel Denison.*

Roberte Crosse, aged thirty-nine years, testified that he and John Chub had a difference and they put it to arbitration. Deponent judged that he had too much drink at the time. Robert Lord, marshal, testified to the same. Sworn, May 9, 1682, in Ipswich court.

Jacob Perkins, sr., deposed that Tobiah Taylor came to his house and complained to him, he being then a grand jurymen, that his master Samuel Bishop abused him in punishing him by hanging him up in a strange manner, cruelly whipping him. He showed his wrists which were very much waled and swollen by the cord with which he tied him when he whipped him, hanging by the hands with his legs tied straddling so he could not stir. Deponent took Tho. Lovell, sr., and John Annabel with him to said Bishop's house to inquire why he so abused his servant. He admitted he had so punished him and they looked at the boy's naked body and saw many long red marks sixteen hours after the whipping. At another time the boy showed deponent a great bunch on his head which was caused by his master striking him with a rake. Tho. Lovell, sr., testified to the same. John Annabel testified. Sworn, May 9, 1682, at Ipswich court.

Esther Bishop, aged about twenty-six years, deposed that after her husband brought home his boy Toby Tailour from Salem last January, his carriages were uncivil with their maid servant. He sat up all night by the fire with the wench without their knowledge but when deponent's husband arose to go for a load of hay in the morning he was gone. When he appeared he was asked where he had been hiding and he said in Mr. Andrewes chamber in a great chest. About midnight deponent's child cried and she called the maid servant to light a light to quiet it and the wench came running in to their room and said "Oh master There is Toby by the fireside." As soon as deponent came in he ran away to the leanto door. Then her husband said he would lie still a little longer and rise and catch him by the fire, and so he did about one or two of the clock in the morning and whipped him and came to bed again, bidding him go to bed. Since then the boy had been very disobedient, smoking his pipe of tobacco after he was in bed which was very dangerous and hazarded their lives, for one night his bed blanket caught fire and burned a great hole in it. He came home full of

* Autograph.

strong drink. For smoking tobacco, absenting himself from family duties, profaning the Sabbath and night walking, upon his coming home one night after nine o'clock, her husband took him upon his knees as well as he could and whipped him with his hand which broke no bones and brought no blood. The boy was given to lying and sowing discord among neighbors, etc. There was nothing done to their maid servant Phebey Downy for her uncivil carriages and familiarity with the boy at that time, but her husband bade her get a rod and whip her as she saw fit.

Upon complaint of Mr. John Richardson against Robert Cham and Henry Luccas that they fell on George Hardy in the night at eleven o'clock, beat him and followed him to Richardson's door and threatened to kill him, Joseph Pike,* constable of Newbury, arrested Cam and Lucas and put them under guard of two men. His bill of cost, for guard of two men 1 day, 4s.; for 2 men to watch him one night, 2s.; after his escape 1 day and night to search for him, 3s.; not finding him I sent to Portsmouth and Andover and sent hue and cry to Salisbury and Rowley, etc.

John Johnson testified that hedge fence was considered not sufficient and that Richard Haven was to be allowed for what he should lay out in bettering the dwelling house, not exceeding five pounds.

Bill of cost of Joseph Pike,* constable of Newbury, against Thomas Tuxbery, for 5 or 6 miles travel from Pike's house, etc., 6s.

John Atcinson testified that the evening before last Thanksgiving day his apprentice Samuel Boknam said "Now look tow it Cimecall gess," and deponent told him if Goodman Toppan lost his geese he would have to pay for them. Bokman said he would not meddle with them but he knew who did threaten to get some of them. Margaret Merick testified to the same and also that being asked what he meant by "Cimmicals," Buckman answered it was Tapin's geese. Sworn, Mar. 30, 1682, before B. Gedney,* assistant.

Charges of the selectmen of Ipswich, by Simon Stace,* one of the townsmen, given into court at Ipswich, May 10, 1682, for expences of Mary Alexander at the birth of her child, by order of the Major Generall Denison: one weake at Mr. Wilson's, etc., 1li. 18s.

Josep Peasley, aged about thirty-five years, testified that in 1674, Samll. Gile, jr., sold him two cattle which he said he had of Peter Green and which were appraised by Nickcoles Browne and John Greffing at 7li. 10s. Gile also said he received of Green shirt cloth upon account of land. Samll.

* Autograph.

Watts said that he had the bill of John Gile and that he must let John Gile have half of what he could get of this eight pound bill in controversy.

Isrell Woodwort's bill of cost against Joseph Lufit, Daniell Polle, John Traske, Thomas Killam, Mordicar Larcum, Charles Gott and John Edwards, for a warrant from Worshipful Mr. Browne, to Capt. Fisk, etc., 3s. 3d.

Copy from the town book of Newbury made by Anthony Somerby,* clerk: "At a meeting of the selectmen August 14, 1679 By reason of the great losse & damag the Town hath sustained former yeares by reason the Rams were not put away from the flocks in season. The selectmen ordered that all the Rams should be Romeued from the seuerall flocks of sheep throughout the Towne, within foure dayes after the date hereof on penalty of forfeiting the said Rams, that shalbee found among the said flocks after the two & twentyth of this p'sent month, And if any Ram or Rams bee found in any of the said flocks after that day, It shalbe lawfull for any Inhabitant to take them & kill them for his owne use & the shepard to pay ten shillings to the Townes use."

Petition of Robert Pike* to the Ipswich court, Mar. 26, 1682, for a debt of 4li. which was due him from Salisbury court before the change and which Mr. Dalton had shown was due. He asks that he be allowed that amount out of rates which he had paid at Ipswich.

Charges of the selectmen of Ipswich, by Nehemiah Jewett,* recorder, 28 : 1 : 1682, about Mary Williams when her child was born: bedding, 1li. 5s.; keeping at James Fuller's, 10s.; keeping at Thomas Knowlton's about one month, 10s., etc.; total, 1li. 18s.

Writ: Samuell Bishop, administratrix of the estate of widow Bishop, executrix of the estate of Thomas Bishop, deceased v. Daniell Clearke; debt, dated Mar. 20, 1681-2; signed by Robert Lord,* for the court and town of Ipswich; and served by Robert Lord,* marshal of Ipswich.

Charges of the selectmen of Ipswich, by Nehemiah Jewett,* recorder, 28 : 1 : 1682, about the servant of Mr. Epps when her child was born: bedding, 5s., bed cord, 4s.; keeping at Mr. Wilson's, 10 days, 4s.; the midwife, 5s., etc.; total, 3li. 16s.

Petition of Samuel Beadle:* "Wheras by the prouidence of God & my hard Seruis in the Narraganset Country my health has bin much impared & my body incapable of following my calling (by reason of greivous aches & paines y^t constantly attend me) the Consideration wherof has moued the Selectmen of Salem to Consider of Some fit way for me

* Autograph.

COURT HELD AT SALEM, JUNE 27, 1682.

Judges: The Major Daniel Dension, Esq., Major Saltonstall, Esq., Barthol. Gedney, Esq., Major Samll Apleton, Esq., William Browne, Esq., and Major Robt. Pike, Esq.

Grand jury: Nathanll. Putnam, Wm. Trask, Christo. Babbadg, James Symonds, Henry West, John Loomes, George Gowing, Tho. Farr, John Newall, jr., Robert Leach, John Kilburn, Ensigne Samll. Corning, Will. Greeggs and Erasmus James.

Jury of trials: Robert Kitchin, Edw. Flint, Tho. Flint, Richard Pritharch, Benja. Pickman, Archebell Forgison, John

wherby I might get a liuelyhood for myselfe & Family & for that end haue Granted me there aprobaton for one of the Inholders to kep an Inn in the Towne of Salem." He requests the court to grant him a license.

Approbation of Mrs. Ann White by the selectmen, Nathll. Clarke,* John Bartlett, sr.,* Francis Brown* and James Ordwaye,* presented Mar. 28, 1682 at Ipswich court, she having "given verry good content in her place both to towne and Countrey."

Approbation of Left. Richard Norman, dated Mar. 11, 1681-82, by the selectmen, Moses Mavericke,* Sam. Ward,* Ambros Gall,* John Peach* and John Waldron* as an innkeeper, "the situation of our place being a Seaport towne, and the concourse of many strangers especially in the summer season being such that one particular house of entertainment cannot with any convenience accommodate all with what may be needfull. Norman's house had been formerly licensed and he was "one who will (we hope) endeavour to keep such good orders in his house that none may charge him with just matter of complaint but will be striving to discharge that place, that all persons may acquiesce in your nomination & choice."

Approbation of Joseph Fletcher, by the selectmen of Salisbury, Tho. Bradbury,* John Ilsly,* William Buswel,* Henry Browne* and John Stevens,* dated Apr. 18, 1682, to keep a house of public entertainment.

Approbation of Mr. Christopher Lattimore, dated Mar. 11, 1681-82, by the selectmen, Moses Mavericke,* Samll. Ward,* Ambros Gall,* John Peach* and John Waldron,* as an innkeeper, he keeping "an ancient house and most convenient for shipping."

* Autograph.

Edwards, John Fitch, Ensigne John Fuller, Cornet John Lewis, John Newall, sr., and Daniell Needham.

John Lambert v. William Dutton. Replevin. Verdict for plaintiff.

Leift John Putnam v. Tho. Baker. Trespass. Verdict for plaintiff. Appealed to the next Court of Assistants. Defendant bound, with Jacob Towne and John How as sureties.*

*Writ: Leift. John Putnam v. Thomas Baker; trespass; for coming upon his land near William Nicholls' and felling his timber; dated 14 : 4 : 1682; signed by Hilliard Veren,† for the court and town of Salem; and served by Daniel Reddinge,† constable of Topsfield, by attachment of house and land of defendant.

Thomas Baker's bill of cost, 2li. 3s.

John Puttnam's bill of cost, 3li. 2s. 10d.

"Att a meeting of the Selectmen 26th 12^m 1654-55 Granted to John Puttnam jun^r thurtey acres of upland neere adjoyning to the Farmes of Cap^t Hathorne Jn^o Ruck & W^m Nicols being in exchange of the thurtey acres hee should haue had att the end of Cap^t Hathorne, his farme. and further we doe apoynt that the surpluss of the land Contained within the afores^d Bounds shall apertaine & belonge to Richard Graues, in Consideration of fourtey acres formerly granted unto him y^e sayd Graues." Copy made, Jan. 19, 1681, from the Salem book of records by John Hathorne,† recorder.

"March 25th 1659. Wee whose names are under written being Chosen & Impowred by the Inhabitants of Salem & Topsfield to Run the Six mile Extent, & also the deuisionall line betweene the two Townes, haue thus agreed & determined namely that wee haue Run the six mile extent upon the N West & by N, which ends in the edge of a swamp of John Putnams called the great Ashen Swamp. next unto a Hill Commonly called by the name of Walnut tree Hill neere unto Perrys Wigwam. & from thence haue thus far agreed upon the deuisionall line which runs S W Westerlye to the Riuer syde Commonly called by the name of Ipswitch Riuer, where wee marked trees by a Rock towards the East & a neck of land Commonly called Cromwells neck westerlye of the sayd trees marked. & from thence S W one mile & a quarter & soe one according to y^e rule that M^r Joseph Gardner Run the || aforesayd || deuisionall line & from the six mile Extent towards the N. E. Easterlye as itt is bounded and marked one mile & a quarter ending att a swamp by a hill called Smiths Hill & from thence towards the E. N. East Ending upon a Hill neare Wenham Caseway and soe towards the E. &

† Autograph.

by N. one Hundred Rods ending att Wenham Meadow Syde Thomas Puttnam, Nathaniell Puttnam, Joseph Hucheson, Abraham Redington, John Redington, Jo. Wild, Wm. Euans." Copy made, June 18, 1682, from the Salem book of records by John Hathorne,* scribe.

"At a Lawfull Towne meeting the 22 March 1680 or 81 The Towne giues full powere to M^r Thomas Baker and Corp^r Jacob Townes & John How to demand of any man or men that hath any Land Lying in our Towne to show there bounds of y^e land they haue in our Townes bounds: and if they or hee doe refuse to shoue there bounds they haue full power to sue for a mesuere of their Land and to dos there beest indeuere to recouer for y^e Towne what is more then there grant. Voted." Copied June 23, 1682, from the town book of Topsfield, by John Gould,* recorder for Topsfield.

"At a Lawfull Towne meeting y^e 12 Apriell 1682. The Towne has agreed to giue full power to M^r Thomas Baker & Corp^r Jacob Townes & John How to sue for a mesuer or for a true & excact account of all y^e Land any man or men dos Clame within our bounds & y^e aforesaid men are impowered to sue or other wise at any Court or Courts & to prosikute from Court to Court tell they haue ended y^e case this is to Confurme any former order relating to some of Salem men that haue Land in our bounds and Whenham men or any that dos Ly upon our Commons. Voated." Copy made, June 23, 1682, from the town book of Topsfield by John Gould,* recorder.

"At a Lawfull meeting of y^e Selectmen y^e 4 day of May 1682. Wee doe hereby giue full power to M^r Thomas Baker, Corp^r Jacob Townes & John How to demand of any or all the men of Salem or Whenham that Some Land or medoe in our Towne bounds to show there Rights and titeles to those Lands Clamed by them and also there seuerall bounds to those Lands clamed by them and if any or all of them shall refuse: or doe not make it Legally apeere how they came by these Lands they Claime to y^e sattisfaction of y^e aboue said Baker Townes & how wee doe heareby giue them full power in y^e Name of y^e Towne to make trespas one those Lands: or sue the Clamers thereof and prosekeat y^e The Law againts them or any of them: or to Compound and agree with any of them as they shall see meete and what so euer they shall doe there in wee well owne and stand by and Conferme as witnes our hands. John Gould, sr., Francis Pebody, Thomas Perkins, John Redington." Copy made, June 23, 1682, from the book of records of Topsfield, by John Gould,* recorder.

"Att A Generall Court held at Boston 4th September 1639- whereas the Inhabitants of Salem haue Agreed to plant a village nere the Riuer which Runns to Ipswich It is ordered that all the

* Autograph.

land neare there bounds, Betweene Salem, & the sayd Riuer not belonging to any other Towne or person by any former Grant shall belong to the said Village." Copy made by Edw^d Rawson,* secretary.

"Att A Generall Court held at Boston 19th Ocotber 1658. In Ans^r to the petition of the Inhabitants of Topsfield It being put to the question whither the bounds of Salem shall be accompted to Runne from the meeting house sixe miles into the woods & no more Alwayes provided that the particular persones to whom lands haue been Granted by Salem w^{hin} Topsfield line shall belong to the proprietors. The Court resolved this question in the Affirmative." Copy made by Edward Rawson,* secretary.

"Att A Generall Court of Elections held at Boston 10th day of the 3^d mo. 1643, Whereas the Court holden at Boston the 4th of 7th mo. 1639 there was certeine land lying neare Ipswich ryuer granted for a Village either to some of the Inhabitants of Salem or some of the Inhabitants of Ipswich who haue farmes neare unto the said land to be enjoyed by those who first settled a village there they both propounding for it together howsoever the order mentioneth onely Salem Inhabitants & for as much as the Inhabitants of Ipswich haue for neere this two yeares procurued and maintained one to dispense the word of God unto them which they Intend to continue; It is therefore ordered and granted that M^r John Endecott and the said Inhabitants of Ipswich vitz^t M^r Bradstreet M^r Symonds M^r Whittingham M^r William Payne, M^r Robert Payne and such others of Ipswich or Salem as they shall associate to themselves shall haue liberty to settle a village neare the said River of Ipswich as it may be most Conuenient for them, to which the aforesaid land shall belong viz^t all that which lyeth neere the said Riuer (not formerly granted to any Towne or person. Provided that any of the Inhabitants of Salem who haue farmes neare unto the said land now granted shall haue liberty for one yeare next Coming to Joyne wth the said village and to haue there equall and proportional priuiledge in the same And whereas M^r Bradstreet hath liberty granted him to take his farme of fise hundred acres in the next Conuenient place that is fitt for a farme to that which is Granted to M^r John Endecott which may prove prejudiciall to the said village : It is therefore ordered that the said M^r Bradstreet shall haue liberty to take his said farme of fise hundred acres in any other place not yet granted to any Towne or person, nor prejudiciall to any plantation made or to be made which when he hath so donne and manifested the same to this Court his aforesaid grant shall forthwith be voyd, and the said land shall belong to the village before mentioned to be disposed of by the Inhabitants thereof for the good of the whole

* Autograph.

And if Salem and Ipswich shall not Agree before the next Court about a parcell of meadow now desired by Salem to be to Wenham then the Court shall determine it." Copy made by Edward Rawson,* secretary.

Jacob Town and John How testified that Mr. Thomas Baker went with them to Goodman Niquall's house where they met John Putnam, sr., and showed them an order from Topsfeld to demand of any of Salem men that claimed land within Topsfeld bounds to show them their bounds and grants and if they were not satisfied, they had liberty to fell timber on their claimed land and stand suit with them. Left. John Putnam told them that his land there was never laid out by any lot-layers and that he had no bounds except what his grant gave him. So deponents before his face felled one timber tree within Topsfeld line a considerable way. John Putnam further told them that he had a hundred acres or more adjoining that they felled the tree on within Salem line. Deponents told him he had more than his due there and he had no reason to claim theirs. Sworn in court.

Willyem Nicquells, John Nicquells and Philip Knight testified that Mr. Ruckes farm and Willyem Niquells' farm do not join by a considerable distance, also that Left. John Putnam's land joins to Mr. Ruck's, Willyem Niqualls' and Major Hathorne's farms. Willyem Nequalls testified that Mr. Ruck's farm was laid out at two several times, many years apart, and the last lay-out was about twenty-four years ago. Owned in court by John Putnam.

Copy of deed, dated 12 : 3 : 1655, from Richard (his mark) Graves of Salem, pewterer, for 55s., to John Putnam of Salem, husbandman, fourteen acres which was granted him by the town of Salem, between the land of John Rucke and the land of William Hathorne and William Nickles in Salem. Wit: Robert Prince and Eliase Stileman. Acknowledged before John Endecotte, deputy governor. Copy made by Hilliard Veren,* cleric.

Geo. Corwin, aged about seventy years, testified that he came into this town about forty-four years ago and having been here a year or two he went to the general town meeting to desire some land or a farm, but they answered that they meddled with no such things, leaving them wholly to the selectmen. Later deponent spoke to the selectmen and had a farm granted him. He was chosen selectman for several years and never knew any farms or great lots ordered to any one except by the selectmen. Within a very few years the town ordered them not to dispose of any more without the consent of a general town meeting or the major part of them. Deponent declared that the land belonging to Richard Graves or Jno. Putnam, sr., was laid out before Topsfield became a town. Sworn in court.

* Autograph.

Nicholas Woodbery v. John Elletrop. Withdrawn.*

Daniell Andrews v. Jeremiah Watts. Slander. Verdict for plaintiff. Defendant was to make acknowledgment, that he had done wrong in calling plaintiff a thief and saying that he had stolen his pewter, at the village meeting house on some public day within one month.

Benjamin Balch, sr. v. Wm. Dodge, jr. Verdict for defendant.†

John Nickoles and Philip Knight deposed that they heard Thomas Baker tell John Putnam, etc. Sworn in court.

Left. Thomas Putnam, aged about sixty-six years, deposed that his brother John Putnam, etc. Sworn in court.

Edmund Batter, aged about seventy-three years, deposed that in 1669 the town prohibited the selectmen from granting farms, etc. Nathaniell Putnam testified to the same. Sworn in court.

*Writ: Nicholas Woodbery, sr. v. John Elletrop; for withholding or non-payment of fifteen pounds, the remainder of four years' rent for a farm lying in or near Manchester, beginning Mar. 25, 1677-8, being half the term of the lease, dated Feb. 12, 1677; dated Salem, June 17, 1682; signed by Hilliard Veren,‡ for the court and town of Salem; and served by Onesepherus Allen,‡ constable of Manchester.

†Writ: Benjamin Balch, sr. v. William Dodge, jr.; non-payment of an agreement made in writing and confirmed by the Ipswich court, Mar. 28, 1682; dated June 17, 1682; signed by Hilliard Veren,‡ for the court and town of Salem; and served by Joseph Dodg,‡ constable of Beverly, by attachment of the malt house of defendant.

William Dodge's bill of cost, 16s.

William Rayment, aged about forty-three years, and John Dodg, aged about forty-six years, deposed that the house and five acres of land mentioned in a deed from William Dodg to William Woodbery in 1665 is the same land and house that is mentioned in the inventory of John Balch, jr., etc. Sworn in court before Nath. Saltonstall.‡

John Rayment, aged about sixty years, and Peter Woodbery, aged about forty years, testified that they were proprietors in part of those farms which were equal in grant with old John Balch's farm and in common lump together, and they divided it, 261 acres to each farm. William Dodg possesses but sixteen acres of that land that was old John Balch's farm. Sworn in court.

Copy of deed, dated Jan. 15, 1663, from Benjamin Balch of

‡ Autograph.

Salem, yeoman, for good will and affection, to Mary, late wife of his brother John Balch, now the wife of William Dodge, the younger, 16 acres of land in Salem on Bass river side, so called, at the head of the rails toward Wenham, on the west side of the country highway that goes to Wenham and is part of about fifty acres which was lately John Balch's and by the Ipswich court on March 31, 1663, ordered to grantor, also three acres of meadow which he gives her for life, at her death to return to him, it being that part of the meadow which is the outside farthest from his own land. Wit: Hilliard Veren. Acknowledged, 14 : 11 : 1663, before Wm. Hathorne. Copy made from the book of records in Salem by Hilliard Veren,* recorder.

Walter Fayerfield, aged about fifty-one years, deposed that Benjamin Balch, sr., told him that the quarter part of his father's farm which was given to his brother John Balch by his father was in his possession, except the sixteen acres, etc. Sworn in court.

William Rayment, aged about forty-three years, deposed that for twenty or thirty years Benjamin Balch, sr., had acted in the divisions of the farms which were at first laid out in common, etc. Sworn in court.

Copy of deed, dated Apr. 27, 1665, from William (his mark) Dodge, jr., of Salem, yeoman, for 36li., to William Woodbery of Salem, mariner, a dwelling house with five acres of land upon which the house stands, with the fences, on Cape Ann side in Salem, bounded on the east by land of Christopher Crod and Thomas Tuck, on the west by some land of John Porter, sr., on the south by the highway against the North river and on the north by a highway. Wit: Hilliard Veren and James Browne. Mary, his wife, released her dower, 28 : 9 : 1665. Acknowledged, 28 : 9 : 1665, before Samuell Symonds. Copy made by Hilliard Veren,* recorder.

Copy of agreement, dated 1 : 2 : 1682, between Benjamin Balch and William Dodge: that the first settlement at Salem court should stand, the land and moveables to be equally divided according to inventory and all the debts due when John Balch died to be equally paid by said Balch and Dodge provided that all later settlements be made void; the three acres of meadow to William Dodge during his wife's life to be accounted Benjamin Balch's, as also the 2 1-2 acres of marsh at Salem; 16li. were to be allowed from the estate for expenses since Balch's death. Acknowledged, Mar. 28, 1682, in Ipswich court. Copy made by Hilliard Veren,* cleric.

Benjamin Balch* certified that he demanded of William Dodge, jr., as due per agreement 19li. 8s. 6d. as his part of the moveables and eight and a half acres of land or 50li. in money.

The agreement of William Dodg* on May 16, 1682, was re-

* Autograph.

Mathew Farrington, sr. v. Mark Graves. Verdict for plaintiff. Appealed to the next Court of Assistants. Defendant bound, with Henry Bailey and Phillip Fowler as sureties.*

fused in reference to the land and he now declares to Benjamin Balch that whereas the five acres of land with the house appraised in the inventory of John Balch had been sold at 35li. in pay to pay said Balch's debts, he would, however, for a full settlement agree to pay one-half of it in money, the rest of the land to be equally divided. Walter Fairefeild, William Rayment and John Conant testified in court that this agreement was tendered to Ben. Balch and Mr. Gardner.

Account of the division of the estate by Benjamin Balch, sr.:† the land and house at 85li., of which Dodge had the house and six acres of land inventoried at 35li., also 16 acres of the 50 acres, all of which was inventoried at 51li.; Balch had in his possession 34 acres of the fifty, inventoried at 34li., so Balch had 17li. less of the housing and land than Dodge, half of which was due Balch; therefore Balch demanded 8 1-2 acres of land out of the fifty or its worth which is 5li. per acre in money or 7li. 10s. in current pay. There was also due to Balch half of 46li. 17s., which is the remainder of the estate.

Copy of inventory of the estate of John Balch of Salem, taken 19 : 1 : 1662, made by Hillyard Veren,† cleric.

*Writ: Matthew Farrington, sr. v. Mark Graves, living at Mr. Hubbard's farm at Ipswich; for not allowing him disbursements upon the tide mill and housing amounting to 20li., for his part of said mill and housing being so much better at the end of the lease than when he entered upon it; signed by John Fuller,† for the court and town of Lyn; and served by Henery Skerry,† marshal of Salem, by attachment of a table and great chair of defendant.

Mathew Farrington's bill of cost, going to Reding, etc., 3li. 14s.

Mark Graves' bill of cost, 1li. 6s. 6d.

John Ballord and Henery Wormwood, aged forty-eight years, testified that the sills of the dwelling house belonging to the mill are rotten and sunken almost into the ground. Samuel Johnson testified to the same. Sworn in court.

Joseph Armitage,† Robert (his mark) Burgis, Robert Potter† and Thomas Newhall,† being chosen by Mathew Farrington and Marke Graves to appraise a tide mill, house, barn and land in Lyn, reported the first week of the 9th month, 1669: "The mill dame wantinge abought a foote and a halfe of being leuill with the marsh: and the marsh betweene the dame and the mill was not pasable for persons nor horses to pase into the mill and for

† Autograph.

the mill by reson of Breches all betweene the lead sill and the Taille sill was undermined belowe the Timbors abought five foote which breeches came by reson of the defeckts of the Too sides of the Brest works: The Three gatts and watter whele nought and the shafte of the mill whelle uery moch defecktive. The Cogge whelle and Cogges and Trandells good Rine and spindell sixe Bills and on Crowe and on sledge and Roaps to take up the aforesaid millstoanes all sofishant The bridge at the mill head and all the Cape sills of the mill so Rotten as in a shorte time new ons most be putt in for the mill howse the sills so rotten as in a short time new ons most be putt in: the Coueringe of the mill and the mill howse wrotten and leakey being most of it singell Clabored and sum of it singell bordered and a litten Thatch opon on end of it and on end of the mill howse havinge Too floares of boards and the walls within side filled and plastred: and the other part of the walls of the mill howse beinge uerey much shattred and Broken: and the foare side of the mill howse the end next onto the mill Taille by resen of the wash of the watter woshin awoye the sand Indangringe the mill howse there beinge nothinge to preuent it. The newe end or a roome built at the mill howse end the sides borded the rooffe borded and Battned the walls silled and Too flors of bords and Too Brick Chimnes: on Jame of the Chimnes on the north side defecktiue: no glase abought aney of the howsinge for the barne the rooffe Bordered with singell bords edge to edge no gabell ends Bordered aboue the beames Three or fore Bords rownde the lower part of the walls of the Barne the Barne not beinge ground-pined."

Thomas Newhall, sr., and Robert Potter, sr., testified that they were at the water mill, etc. Sworn in court.

Robert Potter, sr., and Samuell Duntun, jr., testified. Sworn in court.

Oliver Purchis* and Samuell Duntun* certified at Lyn, June 6, 1682, that being desired by Mathew Farrington, sr., of Lyn to judge concerning the grist mill in partnership between him and Mark Graves who now dwells on the farm called Mr. Hubbard's farm as people travel to Ipswich and not only the mill, but the housing, barn and causeway, declared that it is worth 40li. in money more than when Graves leased his part to Farrington; and the leantoos to the dwelling house and barn built since the lease began, they did not value. Sworn in court.

Agreement, dated 26 : 8 : 1669, between Marke (his mark) Graves and Mathew Farrington,* of Lynnn, partners in the tide mill at Lyn, said Graves leased his half part to Farrington, together with the housing and small piece of land on which the barn stands for 3li. per annum for twelve years, beginning when said Marke should remove from the mill which was to be be-

* Autograph.

Mr. Samuëll Gardner, assignee of Mrs. Hannah Wells of Hartford v. John Lee. Verdict for plaintiff.*

tween this time and the next spring, but Mathew was to take possession at once, except the new room and the barn; the payment was to be in neat cattle or corn, ten bushels of corn to be paid this winter at the house of said Farrington; he was to leave it in as good repair as when he took it, and if better, he was to be allowed for it. Wit: Andrew Mansfield† and Rich. Haven.† Owned in court.

On the inside of the foregoing paper: "Take 3 hanfuls of Centary boyle it in a Gallon of spring water untill halfe is boyled away then strayne it and put in halfe a pownd of huny boyle it a little Let him take 9 sponfuls Mornings and Euenings."

Thomas Newhall, Robart Burgis and Robert Potter, sr., estimated that the mill was worth 40li. more than when leased. They did not include the leanto on the house and two on the barn. Sworn in court.

Andrew Mansfield† and Rich. Haven† testified that they were witnesses to the agreement.

John Ballard and Henery Wormewood testified that Graves tendered Farrington the rent of his part of the mill for one year for part of his allowance and he wholly refused it. Samuëll Johnson testified to the same. Sworn in court.

John Ballard and Henery Wormewood testified that the mill was much worse off than at the beginning of the lease, because he had lost his custom, worn out the millstones and the sills of the house were rotten. While he asks for charges for the causeway, he had lost the way that belonged to the mill so the causeway was of no benefit, but a damage. By cross carriages to their customers they had forced people to leave that mill and go to Salem for grinding, etc. Sworn in court.

Robert Potter, sr., Samuëll Dunton and Mathew Farrington, jr., testified that Samuëll Johnson and Samuëll Dunton were chosen by both parties to estimate the worth of the mill, but upon being asked to give bonds to stand by the award, Graves absolutely refused, whereupon the arbitrators refused to meddle with it. Graves' wife called in Ballard, her husband being present, and said that she delivered to Ballard possession of their part of the mill. Sworn in court.

*Writ: Samuëll Gardner, jr., of Salem, assignee of Mrs. Hannah Wells of Hartford, Conn. v. John Lee; for non-payment of the produce of twenty-six bushels of pease and twenty-seven bushels of Indian corn; dated Boston, June 6, 1682; signed by Nat. Barnes,† for the court and town of Boston; and served by

† Autograph.

John Allen v. James Browne. Appeal from the commissioners' court at Newbury, May 2, 1682. Verdict for defendant, confirmation of the former judgment. Appealed to the next Court of Assistants. Said Allen bound, with Hugh March and Thomas Putnam, jr., as sureties.*

Returne Waite,† marshal of Suffolk, by attachment of one-half of the sloop Adventure belonging to defendant.

Samuel Gardner, jr.'s, bill of cost, 18s. 6d.

Letter addressed: "To M^{rs} Hannah Welles, these p^rsent. post not p^d. Hartford."

"M^{rs} Hannah Wells

Boston 6th february 1681.

"I Receiued you^{rs} of y^e 2^d of nouember wherein y^u aduise that had ordered one Jn^o Lee to pay mee six pounds for your acc^o out of Some Pease and Indian Corne y^u sent by him; said Lee appeares not & my Business Is soe urgent y^t I Cannot Looke after him much more after Lawe Business to prosecute Itt, I am Sorry hee should Deale soe unworthily by you as not to Comply wth yo^r order & obligation. Nowe I pray take some speedy Course to Remitt mee my money for haue bene Long enough out of Itt; for my part expect Itt with Intrest wth I Judge nothing but Reason, pray faile not In ordering mee speedy satisfaction and y^u will Ingage him who Remyanes

"Simeon Stoddard.†"

Simeon Stoder, aged about thirty years, testified that about a month or six weeks since, Jno. Lee of Ipswege and Samuell Gardner, jr., of Salem were at his shop discoursing about the pease and corn which Mrs. Wells of Hartford sent by Lee to the Bay. Lee promised to pay deponent 6li. in money in a very little while and to give Gardner a bill for the remaining 50s. Sworn, June 20, 1682, before Anthony Stoddard,† commissioner.

Jno Lee's† receipt to Mrs. Hannah Wells, dated Hartford, Aug. 19, 1681, for 26 bushels of peasen shipped on board the sloop Adventure, also 27 bushels of Indian corn, freight paid, to be transported to Boston and sold for Mrs. Wells. Wit: Ichabod Wells, aged about twenty-one years, and Jonathan Wells, aged about seventeen years, who were sworn, Mar. 25, 1681, before John Allyn,† assistant. Recorded, Mar. 9, 1681-2, in the public records of the Connecticut colony by John Allyn,† secy.

John Waite† certified, June 26, 1682, that last September he sold Indian corn for 2s. 3d. per bushel, which was the market money price and 4s. or 4s. 6d. per bushel for pease.

*Copy of papers in this action in the Newbury commissioners'

† Autograph.

court, Mar. 21, 1682, and May 2, 1682, made by Tristram Coffin,* clerk:

John Allin of Salesbury v. James Browne of Newbury; for taking and riding his horse contrary to his knowledge or consent about two years ago; verdict for plaintiff.

Writ, dated Mar. 16, 1681-2, for appearance at Mrs. Ane White's house, signed by Tho. Bradbury, for the court and town of Salisbury, and served by John Estman, constable of Salisbury. Bond of James Browne.

James Browne v. John Allin; review; verdict for plaintiff; defendant appealed to the next Salem court.

Writ, dated Apr. 19, 1682, signed by Tristram Coffin and Nicholas Noyes, commissioners of Newbury, and served by John Estman, constable of Salisbury.

Tristram Coffin's charges for copying, 11s. 6d.

Bond of John Allin, with Efraham Winslow and Georg Gouldwiar as sureties.

John Allen's bills of cost, 1li. 17s. and 5s.

James Browne's bills of cost, 14s. 3d. and 1li. 11s. 8d., going to Strawberry bank for a witness, etc.

Lydia Samborne, aged about twenty-seven years, testified that in April, 1680, she came with James Browne from Newbury to John Allin's house at Salesbury and saw Allin's wife in her garden. They asked her to lend them her horse to go to Hampton Falls but she gave several excuses. Then she invited them into her house and finding that deponent was Stephen Samborn's daughter who formerly lived at Hampton, she said she would freely lend them a horse and sent her maid to bring him. The maid brought the horse, gave him oats in the said house and bridled, saddled and pinnioned him for them. The maid's name by report was Hackit. James Browne deposed the same. Sworn, Mar. 29, 1682, before Richard Martyn of the council of New Hampshire.

Mary, wife of John Allin, affirmed that she refused James Brown her husband's horse because he had just come from Boston carrying double and but a half hour before had been turned out into the pasture. Brown took him and had also had him to go to Hampton the past January.

John French, sr., aged about forty-eight years, deposed that John Allin came to his house and balanced accounts with deponent's cousin James Browne, paying the latter 2s. for his horse to Hampton. Allin seemed satisfied and made no complaint about his taking the horse.

Niclas Noyes and Tristram Coffin deposed that Robert Roe owned in the commissioners' court that he saw Browne ride the horse away toward Hampton. Sworn, May 2, 1682, in Newbury commissioners' court.

* Autograph.

Richard Knott v. Job Tookey. Withdrawn.*

Rob Roe and Mary Hackett deposed that being at Allin's house at the time James Browne, the glazier, hired the horse, etc.

Hanah French, aged about fifteen years, testified that on Mar. 16, 1681-2, John Allin came to her father's house, etc.

James Browne affirmed that the two shillings he allowed Allin was for one journey to Hampton and one to Hampton Falls, and that twelve pence each time was as much as ever he gave for a horse from Salesbury to Hampton.

Henory Ambros, aged about thirty-five years, testified that being at Major Pike's corner with James Browne and Robard Roo, etc.

John Allin, Dr., 12 : 11 : 1679, for mending glas, 3s. 6d., 4 foot of new glas, 12d. a foot, 7s. 6d.; 21 : 11 : 1679, for 25 fote 1-2 of new glas at 12d. per foot, 1li. 5s. 6d.; by 8 fute 1-2 of Stefins feet at 18d. per foot, 12s. 9d.; 15 : 1 : 1681-2, by attachment, warrant and serving, 1s. 10d.; 16 : 1 : 1681-2, Rest due to me 8s. which is balance of all accounts between John Allin and me. John Allin, Cr., by money of Samll. Sharbron, 1li. 2s. 6d.; by puter, 9d., sarge, 9s. 7d.; dowlis, 6s. 9d.; by the use of his horse, 2s.; credit by a bill dated Mar. 16, 1681-2, 6s.

Jno. Allin's reasons of appeal.

James Browne's† answer to Jno. Allin's reasons of appeal: Roe denied part of his testimony after he had sworn to it in open court which invalidated his whole testimony and confessed that he was at the Major's barn when the horse was taken, which was at least half a mile off and too far to hear or see what he swore was true; that Browne did not go more than four or five miles on either journey; that he often had to hire a horse to go to Hampton by reason of his trade and had sometimes hired for 6d.; Allin desired Ephraim Winslo to plead his case; "and whereas the now plaintiffe puts in many ifs & ands it is not customary in the country to take wittness when on goe to Borrow a horse, if every one that Borrows a horse should be sued two years after & cant prove the lent of it ther is not one in ten but would be made to pay 10s."

*Writ: Richard Knott v. Job Tookey; about nine pounds silver or fish as silver and for disobeying said Knott's orders as per agreement; dated Mar. 24, 1681-2; signed by Moses Mavericke,† for the court and town of Marblehead; and served by Elias (his mark) Henly, who delivered said Tookey to Benjamin Felton, goal keeper at Salem.

Agreement, dated Feb. 21, 1681, between Richard Knott† of Marblehead and Job Tookie,† now in Boston, said Tookie

† Autograph.

agreeing to go on a fishing voyage for said Knott for seven months for 40s. in fish per month, being provided with meat, drink, washing, etc., also fishing craft, as lines, hooks, lead, etc.; Knott also agreed to pay to Samuel Mattockes of Boston 37s. and to Mr. Wintworth of Great Island in Pascataqua river 7li. Wit: Joseph Webb* and Ezekell Needham,* Owned in court.

Jno. Bartlett, aged about thirty-six years, testified that being in the house of Doctor Richard Knott he heard some words pass between Tukey and Knot. The latter bade Tukey go aboard the ketch to work but he said he had worked enough already and would go no longer with that master, etc. Sworn, June 27, 1682, before Bartho. Gedney,* assistant.

Nicholas Pickett, aged about twenty-eight years, testified that about Mar. 23 last he was desired by Dr. Knott to go aboard his ketch with Job Tookie to help him with a canoe load of ballast, which he did. Tookie was all right for drink but "as soone as wee came aboard: the hatches beeing open The said Tookie ran to a hogshhead of rum that stood in the Hold and tooke out the bounge: tooke the steme of an Indian Tobaco pipe: which was like a read: and drank out of the bounge of the Hogg^b soe Terrible that in a short tyme hee was uncapable for To doe any bisines yett desiring for to goe to the hogghead a Gaine which I The said Pickett would nott doe for hee had made himsele drunke enough beefore: I layd the hatches and locked them: and soe wee came ashore: the said Tookie was very Angry because I would nott Lett him drinck noe more." Sworn, June 26, 1682, before Moses Mavericke,* commissioner.

Job Tookie's* declaration: that he would have remained in Dr. Knott's service had he not been "put into this Miserable Prison, I would humbly beseech (yo^r hono^re) to take notice that by our Agreement I was Shipped upon a fishing voyage But on the 21th Day of March last past the Master of y^e abouesaid ketch and I hauing been all day att worke on board the said ketch after we left worke att night we came home to y^e said Master knotts house he being then wth Seuerall men by y^e fire I got into y^e Chimney Corner to Warme my selfe it being pretty cold and I being wett in my feet; amongst other discourse (we being almost ready to Sayle to y^e Southward) I asked Master knot whether he would not ship another hand aboard the ketch there being none but y^e Master & mysele belonging to her for I told him I thought we should be too few to Sayle her (I hauing been belonging to her upwards of thirteen months before) whereupon he called me Rogue and Seuerall other Names; whereupon I told him I was unwilling to go y^e Voyage along wth him unlesse he would ship another hand; and besides I told him he was bounde to y^e Southward for corne & I supposed he

* Autograph.

could not force me to goe wth him by reason our agreement was to goe upon a fishing Voyage; Whereupon he started up and gaue me Seuerall blows on the face I said nothing more to him but presentlye went up the Chamber to bed (lying then in his house) for he would not suffer neither the master nor myselfe to lye aboard) though I proffered to lye aboard seuerall Times as his wife & seuerall others can testyfy) and after I was in bed he got a great sticke to come up to beate me withall (and for all that I know would haue killed me had it not been for John Bartlett his brother in law and seuerall others that were in the house that would not suffer him to goe up staires.

"The next morning being the 22^d of March when I was got up Master Knott asked me whether I was in the same minde I was in the night before; I told him I supposed he could not force me to goe to y^e Southward along wth him by our Agreement to which he answered that he was in a passion the night before; and that the passionatest men were allwayes the best natured men; and wth all told me that I might goe to Salem the next day along wth his Shoreman Nicholas Pickett: and there I might gett a Voyage to goe a fishing either upon my share or else upon wages and that I should gett y^e Gentleman in whose Employ I went to Engage to him to pay my Debt by y^e last of June (w^{ch} Debt was then about seven Pounds) I hauing been a month in his Employ y^e Debt being att first about Nine Pounds and said that he would cleare me and deliuer up my writings and agreement but desired me to goe aboard y^e ketch that day by reason he was taken lame of y^e Goute which accordingly I did; And att night when I came home again there were Seuerall fishermen with him and I remember he asked me if I was willing to goe a fishing in one of his shallops; I told him I hoped he would be as good as his promise to me which he made in Boston before Marshall Webb of Boston: M^r Sam^l Wentworth of Piscataqua riuier Goodman Mattocks Cooper in Boston and Seuerall others (when we made our Agreement w^{ch} promise was that he would not put me into any of his Shallops unlesse I was willing; but what his Answer was (may it please The Honour^d Court) I cannot certainly tell, for I depended upon his Proffer w^{ch} was that I should get a fishing Voyage att Salum as yo^r Honours haue already heard.

"The next morning which was the 23^d day of March last about breake of day I being betwixt sleeping and waking I heard somebody call in the streets Job: Job: come will you goe; I being surprized could not tell who it was nor att present call to minde what he would haue; but a little while after I considered wth myselfe and called to mind what Master knott had said to me ouer night whereupon I got up and comming downe staires I mett with the aforesaid Shoreman Nicholas Pickett and I asked him whither he would goe to Salum; he told me he

could not goe till next morning; whereupon I went along wth the master of the aforesaid ketch (Nehemiah Goodale) to help to get some ballast aboard the ketch; in doing of w^{ch} I was taken with an Extraordinary payne in my side insomuch as I could not worke any longer but about noone was forced to come home and desired Master knott to lett me blood he told me he was in exceeding great payne wth y^e Goute; and likewise that it was too late of y^e day to be lett blood in; but the next morning I being in so much payne was forced to lye downe two or 3 houres upon the bedd; for w^{ch} Master knott was pleased to report that I was A Lazy fellow and went to bed att noons but the Lord knows my payne continued so violentlye that I could take but little rest that night; nor was not well of it a fortnight after I came into prison.

"The next morning w^{ch} was the 24th of March last I gott up and made in a fire exspecting to goe to Salem along with the Shoreman to see for a fishing voyage according to promise but instead of going wth y^e Shoreman (may it please your honours) the Constable came in with an Attachment and served it upon Master Knott poynting to me said to y^e Constable (Ellis Henlye of Marblehead) Constable that is the man doe your office. I seeing how Master Knott had serued me though undeserued (may it please you) begged of him humbly not to send me to prison for I told him I could not pay him his Engagements in prison and likewise told him I would willinglye serve him in his ketch to goe to the Southward for Corne; or else goe a fishing in one of his Shallops; but the more I begged of him the more he Cursed and Swore att me Saying and swearing by his Soule and his Maker that I should goe to Goale though I rotted there, likewise I begged of his wife to persuade him if it were possible not to send me to prison but poore Woman she durst not speake a word to him seeing in what A desperate rage he was in I seeing there was no hopes of perswading of him; I desired him to be as good as his promise the day before w^{ch} was to lett me blood I being still in Exceeding great payne in my side but his answr was he scorned to lett such a Dogge as I blood whereupon I obeyed the Constables order. The aforesaid Constable (Ellis Henley & Jn^o Bartlett brought me here to Salem Prison where I haue been close kept (may it please yo^r honours) euer since hauing neuer had A minutes tyme so much as to take the Air: about two or three houres after I had been in prison I had an Opportunitye to send 2 or 3 lines to Master Knott by a boy Master Knotts kinsman w^{ch} was as followeth

"Salem Prison March y^e 24th 1681

"Master Knott

"Sr: I would beseech you for the Lords sake to remember your former Clemencye w^{ch} you haue said you haue used to

others that has been in my Condition: & be pleased to take me out of this sad place; where if I lye here I shall undoubtedly be starued with the Cold; and shall willingly serue you or yours either by night or by day as farr as I can possible;

"Your humble Seruant & poore Distres'd

"Prisoner:

Job Tookie.*

"The next Day (may it please your honours) which was the 25th of March M^r John Higginson of this Towne came to me to whom I in part related my case and he bid me send to Doctor Knott and tell him he would speake with him wth Immediately I hired Goodman Feltons Son in law One Richard Clifford to goe to Marblehead but when he came to him he said he could gett nothing but curses & oathes & A slaundersous Peice of Paper aga^t me wth almost frightened y^e man that he said had he known so much as he did he would not haue gone for neuer so much. The Tuesday ensuing I had another Opportunity to send to him which was as followeth: by Tho. Vee^e one of the fishermen:

"Salem Prison March y^e 28th 1682

"Master Knott

"S^r I beseech you to take some Pitty and Compassion of me and take me out of this dismall wretched place where I am almost starued wth y^e Cold consider I beseech you; you haue children of your Own. I hope in the Lord there is none of them will Euer suffer what I now doe Consider I beseech you my Education and bringing up wth Neuer was in being used to A Goale where if you let me lye untill you come home I shall undoubtedly perish therefore pray s^r take some speedye course that I may come out and I shall thinke myselfe happy to goe wth you to y^e Southward or else a fishing in one of yo^r shallops.

"Your humble Seruant & poore Afflicted Prisoner

"Job Tookie.*

"The thursday following which was the 30th of March : 82 Doctor Knott came to Towne as I heard but would not come neare me but went to Goodman Felton the prison keeper as he told me himselfe & Scolded att him after a sad rate as if he had been distracted & told Goodman Felton that I should lye and rott in prison insomuch as Goodman Felton told me that he thought it was a great mercye of y^e Lords that I did not goe to sea with him & that I had better suffer imprisonment than goe to sea wth such a man as he was, for he said he uerylye thought the blessing of y^e Lord could neuer goe with him but that he would come to some bad end or other The next Day following May it please yo^r honours I heard he sayled to y^e Southward for a freight of Corne.

"May y^e 19th 1682. I heard that Master Knott was come to Boston wth was y^e wellcomest News (may it please yo^r honours)

* Autograph.

that I had heard in a great while before hauing been all his absence confined to A Sad dolesome Stincking place and now being in great hopes he would take me out of that miserable place: but y^e Lord knows contrary to my hopes & Exspectiones the first News I heard after he came to Marblehead was related to me by Seuerall That he did Intend (as he said) to keepe me in Prison till the Court & then recouer on Execution upon me and so carry me to Virginia & Sell me which added affliction to affliction I beseech (yo^r Honor*) to take notice of this Doctor Knott's Actings; but (may it please yo^r honours) as soone as I had Opportunitie I sent him These few lines following:

"Salem Prison June y^e 1st 1682

"Master Knott

"Good S^r lett me beseech you to haue some Pitty on me for the Lord's sake and lett me speake wth you (if you please) as soon as you can for no one aliue knows or is able to Expresse what I haue suffered since I came into this place; and still dayly doe being almost poysoned wth y^e stincke of my Owne Dunge and y^e stincke of y^e prison hauing neuer had so much as A minutes tyme to take the Air Since I came into this Dolesome place w^{ch} is now Tenn Weeks Therefore pray S^r lett me speake wth you as soon as possible I can or your Leasure does permit hauing not been well this four dayes and shall doubtlesse be poysoned if I stay much longer here I rest S^r

"Your poore humble seruant & prisoner

"Job Tookie.*

"June the 5th 1682. Master Knott was pleased to come to me about y^e Euening Just to y^e Prison window. I thinking to haue had some comfort from him in releasing me But instead thereof He reuiled and rayled att me and would not so much as stay to hear me speake One word to him but A Boy that was along wth him told me afterwards That Master Knott told him he did Intend to Sell y^e Rogue w^{ch} was meaning me to Virginia; others he tells he will sell me to Barbados (I beseech yo^r honours) to take notice & Consider of This Doctor Knotts Inueterate spirit. June y^e 9th I had an Oppertunitie to Send to him (may it please yo^r honours) againe which was as followeth: By Richard Lee one of his fishermen:

"Salem Prison June y^e 9th 1682:

"Master Knott

"S^r I was in hopes you would haue taken me out of This Miserable wretched & Dolesome place but I understand there is no hopes of it till y^e Court; I beseech The Lord to forgiue you your hard headednesse & crueltie unto me in making of me suffer that w^{ch} I thought when I came here I should neuer haue beene able to haue suffered nor could neuer haue been able to

* Autograph.

haue suffered what I haue suffered had not y^e Lord Supported me wth his almighty Power besides the losse of my most pretious tyme which can neuer be recalled agine hauing been here This Eleuen Weeks Pray S^r Doe me the kindnesse as to send me my White Shirt my Searge Drawers my Blew Capp wth y^e Thread halsing hands Mittons & Sayle Needles wth y^e rest of my things in it My two kniues My Bible and y^e rest of my Bookes w^{ch} were all in y^e forecastle when you Sent me to Prison & likewise I would Intreat you to send me my Neckcloth w^{ch} Goodman Waldin brought from Piscataqua I suppose W^m German has it for I desired him to call for it A fortnight agoe & Send it to me by y^e first Oppertunitye w^{ch} he promised me he would: but he neuer did I rest

"Your Poor Afflicted & Disconsolate prisoner

"Job : Tookie.*

"June y^e 16th 82

"May it please y^e honoured Court Doctor Knott came and stood before M^r Batters his Door and called to me Saying Job : Job : wherupon I looked out of y^e Prison Window and saw him scrape wth his Sticke upon y^e Ground Job sayes he doe you know what This meanes I answered him No; Oh sayes he Sirrah you are like to learne to howgh in Virginia Wittness Jn^o Cooper.

"June the 23th 82. Doctor Knott Came to Goodman feltons house for A Copy of y^e Attachment I hearing his Tongue (may it please y^e honoured Court) called unto him & desired him to send me my shirt & Drawers Whereupon he came to Goodman Feltons back Door rayling & reuiling att me most Sadly Calling of me Rogue & Sirrah telling of me he had beter att home to wipe his shoes then Euer my father was for he said he was an Annybaptisticall Quakeing Rogue that for his maintainence went up & down England to delude Soules for y^e Diuell w^{ch} is no small Greife to me, to thinke that he has not Onelye Abused me in keeping of me in close Prison almost This fourteen Weekes, but abuse him whom he neuer knew but was well known to be A religious Godly man by Seuerall Good Godly people here in New England; likewise his Library w^{ch} I brought Ouer to This Country Proues him (may it please y^r honor^d Court) Not to be neither Quaker nor Annybaptist W^{ch} y^e Reverend M^r Allen & M^r Madder of Boston & y^e worshipful M^r Danford of Cambridge are Sensible of besides A great Many Scollers of Cambridge w^{ch} bought Suereall of y^e Bookes pertaining to my fathers Library

"May it please The Honour^d Court

"I beseech your honors To take this sad Miserable and deplorable Condition I am now in unto your honnours Considira-

* Autograph.

tions; in considering in the first place of my Education & bringing up w^{ch} was to learning (My great grandfather was a Docter of Divinitye in London in Queen Elizabeths Tyme & Deceased there; my Grandfather was minester of S^t Iues Covell knowne by y^e honoured Gouern^r Broadstreet as his honour^r Told me himselfe) and likewise by Master Pembleton of Winter harbor now Deceased. My father (may it please y^e honoured Court) and M^r William Bridge Preached Twelue yeares together in y^e New Church of Great Yarmouth. I being his Eldest Son he did Intend I should haue been A minister And in my Thirteenth yeare of Age sent me to Emanuell Colledge in Cambridge it being y^e same Colledge he himselfe was brought up in : But y^e prouidence of God ordered it so The Tymes altering; I had been there but a fortnight before my father Sent for me home and asked me if I was willing to goe to London to be an apprentice; my answer was That I was willing to Submitt to his pleasure wherupon he sent me to London & I was Bound an Apprentice to A Whole Sale Grocer in Cheapside; But I had nott been An apprentice much aboue A yeare before y^e Cheifest part of y^e Citty was Burnt; my Master Sustaining therby so great A Losse as he did by reason his Owne house he liued In & all his Goods and likewise Seuerall other houses he had rented out in y^e Citty Broke; and was not able to Sett up his Trade againe; wherupon I being uery younge desired my father if he pleased That he would giue his Consent that I might goe to Sea; which request of myne (may it please y^e honour^d Court) he consented unto; And bound me an apprentice for Three years to Capt. Sam^l Scarlet of Boston to Serue to y^e Sea; which Tyme I truly serued as is well knowne by seuerall of Boston; now y^e Debt (may it please y^e honoured Court) w^{ch} Doctor Knott sayes he has engaged to pay in my behalfe I did not owe it through any Extrauegance but Through y^e prouidence of God hauing been taken Twice and cast away Once since I came out of England; And now lately I accidentally cutt all y^e Sinews of my right hand: through w^{ch} meanes I was forced to lye Lame upwards of Six Months Not being able to use One of my fingers in Six months Tyme; That what y^e Doctor had for y^e Cure of my hand y^e Charges I was att for Washing Lodging & Diet it being in so Deere A place, it was in Piscataqua Riuer besides the Losse of my Tyme; brought me Thus behinde hand; and Therefore I humblye desire (you^r honours) to Commiserate my poor & Distressed Condition I am Now In; being A Stranger to yo^r honours and likewise this Towne hauing Layd here almost fourteen Weekes in Close prison. The Lord knowing there is no One knows what here I haue suffered since I came in here hauing not now halfe y^e strength I had when I came first in here. The Lord knows when I shall recover my strength againe but my trust & hope is still in him, besides y^e Losse of my most pretious

John Beckett v. Jonathan Knight. Withdrawn.*

Josiah Roades v. Sarah Hathorn, widow, and Nathaniel Hathorne, her son. Verdict for plaintiff, the horse in controversy. Appealed to the next Court of Assistants. Nathaniel Hathorne, Tho. Newell, sr., were bound, with John Newell and Ebenezer Hathorne as sureties.

Samuell Tarbox and Mathew Farrington were sworn constables for Lynn.

Tyme w^{ch} can neuer be recalled Againe In w^{ch} Tyme (may it please y^e honoured Court) I might haue paid Mr. Wentworth of Piscataqua his Debt but haue maliciously been Debarred from it & kept here by a Wretched Malicious Man falsely w^{ch} I Question Nott but you^r Honours plainlye sees it. Your honours Poor and humble Declarant and Petition^r who Prays for yo^r honours health happinesse and Prosperity in this Querlo Lyfe And in y^e World to come lyfe Euerlasting So prays

"Your honours humble Petitioner & Seruant
"Job Tookie."†

Richard Lee, aged about twenty-one years, testified that on Mar. 20 last he was living with Richard Knott in Marblehead and heard Job Tookie declare that he would not go in Knott's employ fishing in neither of his shallops. Nevertheless Knott ordered his master to go to sea the next day and to call for Tookie which they did and he refused to go with them. Sworn, June 19, 1682, before Moses Mavericke,† commissioner.

Henry Trévet, aged about sixty years, testified to the same. Sworn, June 26, 1682, before Moses Mavericke,† commissioner.

William Jarman, aged about thirty-eight years, testified that he was the man who called to Tookie, etc. Sworn, June 26, 1682, before Moses Mavericke,† commissioner.

Walter Adams, aged about forty-eight years, testified that he being skipper of one of Doctor Knott's shallops last winter, the Doctor desired one of his own servants who went fishing with Adams, called Thomas Vee, offering to let Tookie go in Vee's place. Deponent said he would try Tookie three days first to see if he could catch fish, but Tookie refused to go when called, and he was obliged to go to sea with his old crew. Sworn, June 26, 1682, before Moses Mavericke,† commissioner.

*Writ: Mr. John Beckett v. Jonathan Knights; non-performance of an agreement in building a leanto to his dwelling house; dated May 22, 1682; signed by Billiard Verent† for the court and town of Salem; and served by Henery Skerry,† marshal of Salem, by attachment of land of defendant.

† Autograph.

Moses Gerrish of Newbury was freed from common training, he paying 5s. per annum to the use of the company, provided the Captain accepts it.

Capt. Richard Walker, Capt. Thomas Marshall and Mr. Thomas Loughton of Lynn were sworn commissioners of small causes in Lynn.

Edward Marshall was sworn constable of Lyn.

Joseph Williams dying intestate, Sara, the relict, was granted administration upon his estate and she presented an inventory* which was allowed. The clear estate amounted to about 90li., and there being six children, four sons, Joseph, Daniel, Benjamin and David, and two daughters, Sarah and Abigail, court ordered to the eldest son 10li. and 5li. to each of the others at age or marriage.

Edward Berry of Marblehead petitioned the court to be freed from common training, on account of his great age, poverty

* Inventory of the estate of Joseph Williams, taken June 27, 1682, by Joseph Grafton, sr.,† and Francis Neale, sr.:† one halfe of the Dwelling house, Barn and Shopp which he builded, 40li.; the other part of the house and land thereunto belonging which is his wifes and Children after her mothers Discease; to a Boat, 5li.; Two Cowes and a Maire, 8li.; 3 swine & two piggs, 3li.; Land att Topsfield, 16li.; one bed and bedstead as itt standeth, 5li.; two small beds more and y^e firnituer to them belonging, 5li.; two Chests and two Boxes, 1li. 10s.; fower paire of Sheets much worne, 2li. 10s.; 3 paire of pillowbeers, 1li.; to fower pewter platters, one Great bason, two little Basons, two quart potts, fower porengers, one sawcer, 6 spoones, alchymie, one Chamber pott, a sucking bottell & small Tunnell, 1li. 15s.; an old warming pann, 5s.; one Brass Kettle and to Brass Skilletts, 2li. 10s.; two Iron potts & two Iron Kettles, 1li. 10s.; a paire of Andirons and two hakes & a fryin pann, 10s.; a fier shovell, Tongs, a spitt and a paire of Bellows, 7s.; two Gunnes, two rapiers, a Pike and a belt, 2li.; a smoothing Iron & Looking Glass, 3s.; two sawes, axes and working Tooles, 10li.; 10 Bushels of Indian Corn & six bushells of Rie, 1li. 18s.; six old chaires, 6s.; Lumber, 10s.; a wheele & a smale Tabel, 6s.; his wareing Clothes, 5li.; to tenn pound of Linen yarn fower pound of Cotton yarn, & Five pound of Cotton woole, 1li. 13s.; to an old Saddle and Briddle, 10s.; two sythes, 5s., 13s.; A Canow, 15s.; a Pine Chist, 5s.; total, 9li. 10s.; due to ye estate from severall persons, 8li. 2s. 6d.; due from ye estate to severall persons, 36li. 8s. 13d.

† Autograph.

and weakness of body, and that the Captain was willing if the court approved, and he was accordingly dismissed from trainings.

Thomas Judkin had his former license renewed for keeping an ordinary in Gloster.

John Allen acknowledged judgment to Philip Greely.

Theophilus Baily had his license renewed for the ensuing year.

Robert Cockes, presented for beating one Booby, was fined, and for swearing was dismissed, it being not legally proved.

Court ordered to Ruth Williams 6li. to be paid by John and Joseph Gatchell in satisfaction for nursing the child to the present time, this being in addition to what had been granted her already.*

Tho. Maule, presented for breach of the peace in striking George Deane's children, was admonished, as were the boys, and all were ordered to pay costs.†

*Elizabeth Pow, aged about thirty years, testified that being with Mary Williams the day before she died, the latter denied that the child was Jonathan Gatchell's. Sworn, June 29, 1682, before Moses Mavericke,‡ commissioner.

Elizabeth Gillegan, aged about twenty-six years, testified that Mary Williams told her the same. Sworn, June 29, 1682, before Moses Mavericke,‡ commissioner.

‡Jeane Lord, aged about fifteen years, testified that she being on the street on Apr. 6 saw Thomas Maule take up Geo. Deane, jr., and put him in his barn whereupon the boy cried very much so that his sister Elizabeth Deane asked said Maule to let him out. Maule took a great stick and struck her over the head and shoulders about twelve blows when Thomas Deane came and asked for his brother. Maule warned him to keep out, but Deane pressed toward the barn door for the rescue of his brother and Maule struck him twice with a sod spade, pulled him down and struck him more blows, etc. Sworn, Apr. 7, 1682, before Bartho. Gedney,‡ assistant.

Mary Lambert, aged about fifteen years, testified to the same. Sworn, Apr. 7, 1682, before Bartho. Gedney,‡ assistant.

Benjamin Williams, aged about seventeen years, testified that he was in the street near Thomas Maule's new house, with Thomas Dane and several other boys, and saw Dane take a stick out of Richard Thomas' hands saying he would beat Maule with it. Dane and Charles Phillips threw stones at Maule who

‡ Autograph.

was in his barn and bade Maule come out and they would drub him. Dean thrust his stick in at a hole in the barn and said he had given him a good punch. It was said among them that they thought Maule had gone around to his home. Then Phillips and Dean sent Richard Thomas to the house to tell him that there were boys playing the rogue on his ground and flinging stones at his barn and, if he came, they intended to drub him. Phillips said he would give 5s. to know whether Maule were at home, etc. Sworn, Apr. 17, 1682, before B. Gedney,* assistant.

John Blieth testified as to the actions on that Sabbath day night and that Richard Thomas was sent to tell Maule that somebody was going to pull up all of his trees, etc. Sworn, Apr. 17, 1682, before B. Gedney,* assistant.

Bathsheba Coombs, aged about forty-five years, deposed. Sworn, Apr. 7, 1682, before B. Gedney,* assistant.

Charles Derby, aged about thirteen years, testified. Sworn, Apr. 7, 1682, before B. Gedney,* assistant.

Sarah Cole testified. Sworn, Apr. 7, 1682, before Bartho. Gedney,* assistant.

George Deane, aged about forty years, testified that he had seen Maule writing and posting his books on the Sabbath day, etc. Sworn, June 24, 1682, before Bartho. Gedney,* assistant.

Martha Proctor, aged about sixteen years, testified that Maule many times came to her master King's house on the evening of the Sabbath day and she had heard her master say, "What, Thomas, hast thou bin to meeting to day?" Maule would reply, "No, I haue bin so busy today about posting my Bookes wch I could not attend upon other dayes." Sworn, June 24, 1682, before Bartho. Gedney,* assistant.

Daniel Dove, aged about twenty years, and Isack Williams, aged about twenty years, testified that they were in the street near Isack Williams, father's house at eleven o'clock at night and saw Thomas Deen and John Richards going toward Maule's new house where his orchard is; and this was the night that the apple trees were cut down. Sworn, Apr. 18, 1682, before Bartho. Gedney,* assistant.

Steven Ingols testified that he saw John Richards and Tho. Dane there that night, etc. Sworn before B. Gedney,* assistant.

Eleckieas (also, Alexius) Ronalls, aged about twenty-five years, and Haggar, John Trask's negro, aged about twenty-one years, testified that they saw John Richards go over the fence between Maule's and Richard Crod's houses as if he came directly from the window by the bed where Thomas Maule lodged, about eight or nine o'clock. When he came into the street he said to the boys "Is Tom Maule com out?" They asked him several times if he had been in the orchard, but he made no reply. Then he went over to Maule's new house where

* Autograph.

Thomas Maule, presented for pernicious lying several times, was fined, and Jeremiah Neal, Mr. Phippen and Edw. Bridges were allowed witness fees.*

the orchard was "and said Tom maule had a brane new shope." Sworn, Apr. 18, 1682, before Bartho. Gedney,† assistant.

Joseph Lord, aged about twenty years, testified that at ten o'clock at night he saw John Richards and Thomas Deen in the town at Capt. Pris' corner near his house and they both went up as far as John Mason's house where they stopped and talked. Deponent noticed that they were both laughing as they left him and went toward Maule's, one saying to the other "com let us goe wee had as good be hanged for a oldee sheep as a young lam." Sworn, Apr. 18, 1682, before Bartho. Gedney,† assistant.

*Presented for the following offences:

For profanely taking the name of God to witness the last Salem court that he never posted his books on the Lord's day for which there is legal proof to the contrary. Wit: George Deane and Martha Proctor. For professing that he had great respect for the Sabbath when he had said that all days were alike to him and that he had worked on that day and could as freely as on other days were it not for the laws of the outward man. Wit: William Godsoe and Joseph Gatchell. For defaming authority in saying that he was counselled by the Worshipful Mr. Bartholomew Gidney to deny that which was proved in court to be a just and honest debt. Wit: William Godsoe and Elizabeth Deane. For his constant practice of lying and defaming his neighbors, as in court last December, saying that by reason of his bad neighbors he had sold his house for 50li. loss, whereas before he had said that he had made 40li. Wit: Jos. Gatchell, Francis Nurse and Jonathan Neale. For denying that he took away Mr. Higginson's notes directly or indirectly when it can be clearly proved that he did take away said notes and made his jeers about it. Wit: Joseph Phippen, sr., Edm. Bridges, Joseph Gatchell and William Godsoe. For saying that Frances Croade was a base liar and would have been hanged long ago had she had her deserts, which he positively denied before Mr. Gidney. Wit: Jonathan Flint and Charles Phillips. For deriding authority after he had been at the court to answer for default in Sabbath breaking, saying that the court did not so much as give him a check for it, nor believe anything that was said against him. Wit: Elizabeth Deane, sr., and Elizabeth Deane, jr. The foregoing were left to the consideration of the "Judicious Jury."

Edmand Bridges' bill of cost, 3s.

Bill of cost of Joseph Phippen, sr., and Jeremiah Neale, 6s., and to the other witnesses, 6s. each.

† Autograph.

Richard Croade, presented for being drunk, was fined.*

John Mason, presented for excessive drinking, was fined.
Wm. Godsoe and Samll. Wakfeild were allowed witness fees.†

Ruben Guppy, presented for selling drink without license, was fined or upon failure to pay was to be imprisoned.

Frances Collens, presented for selling strong drink without license, was fined.‡

Isaack Read and his wife, presented upon suspicion of stealing corn from Andrew Tarvice, were fined.§

Samuell Wackfield, aged about twenty-nine years, testified that as he was in his own garden he saw Thomas Deayn strike Thomas Maule several blows within the latter's fence and when deponent went to see what the matter was, Deayn had pushed him backward onto the ground, calling him bad names. Also William Crod took Maule by the throat and Richard Croade's two daughters called him Irish baud master and bade him fetch his Irish baud from Antogo. Sworn, Apr. 7, 1682, before B. Gedney,|| assistant.

Daniell Dove, aged twenty years, testified that he heard Sarah Croad call Maule these names and that he saw Elizabeth Dane, so called, go to Maule and ask him to let out her brother and Maule told her to get off his land. He further told her he would drub her if she did not go, whereupon she dared him and he struck her several blows, etc. Sworn, Apr. 7, 1682, before Bartho. Gedney,|| assistant.

John Coats, aged twenty-three years, testified that he saw the beginning of the fray, etc. Sworn, Apr. 7, 1682, before Bartho. Gedney,|| assistant.

*Salem presentment. Wit: William Pinson and his wife Rebecka.

†Salem presentment.

‡Salem presentment. Wit: Bartholmew Gidny, Nathanell Greene and John Bonker.

§Andrew Tarvis' complaint against Isack Read and Jane, his wife: "On munday last there being much company at Benjamin Scarlets the hous where I dwele there was amongst others Isack Read & his wife & about an hour within night my wife tould me that Jane Read was in the leanto & then I asked her where her husband was & my wife tould me he was gone & the next morning my wife going into the leanto caled to me & tole me that we were undon our Corne was gone; my wife went out & found corne scatered on the grownd: al the way unto the brooke In the way towards Isaac Reads houses & In the way there was 2 traces of Corne In a holow tree & the eares all taken"; they further

|| Autograph.

Upon complaint of Mary Russell that her husband Thomas Russell had carried himself very profusely and extravagantly in running up and down the country, taking no care to provide for his family, much abusing his wife and family, and he having been convicted formerly of disorderly carriages of this sort, and was without reformation, court ordered his estate to be sequestered. He was to have no power to dispose of it; and court appointed Capt. Ward and Benjamin Parmiter as feoffees in trust for said Mary and her children to secure the estate for their relief and to place the children out, with the mother's consent.*

said that they had had meat taken and found one piece near the door. Sworn, Apr. 3, 1682, before Bartho. Gedney,† assistant.

Andrew Tarvice's bill of cost, 1li. 6s.

Summons, dated Apr. 3, 1682, to witnesses, Goodwife Rouden, Daniell Poole, Nathaniell Carell, Hugh Jones and Nathaniell Felton, jr., signed by Bartho. Gedney,† assistant.

Nathannel Felton, aged twenty-six years, testified that on Mar. 28, last he was going early in the morning to the north field and between the dwelling of Andrew Tarves and the house of Isake Read saw several ears of Indian corn lying on the ground.

Mary Rowden and Daniell Poole testified that Sarah Tarviss and Jane Read discoursing about the corn in said Rowden's house, Goody Tarviss asked how came her corn gone and Sarah said perhaps the horses ate it. Poole testified that he saw corn under the groundsel of the house. Sworn, Apr. 3, 1682, before B. Gedney,† assistant.

Samuell Endecott testified that he saw Goody Reed stand at the leanto door at night "after she bid us good night, near where the corn hung, etc. Sworn, May 23, 1682, before Bartho. Gedney,† assistant.

*The petition of Mary (her mark) Russell: "whereas Thomas Russell the husbände of y^e aforesayed Mary hath & doth follow A very lewed Course of life by drunkenness, idleness, makeng away out of y^e house such necessaryes as my poore Family cannot well be withoute, not prouideing sustenance for mee or my children, neither foode nor raymente, but runninge & rideinge aboute the country, & makeing or taking up his abode affar of somtimes at the eastward at pescataway, sometimes southwarde at New Yorke & at his returne certaine is his custom to make away all y^e hee can from mee & my children of what hee finds in the family & at this time he is & hath been gon this fourteene nightes I know not whither, nor whether hee intends to returne or not, besides his wicked violence at such times as hee

† Autograph.

Richard Flinder, presented for breach of the Sabbath by sailing with his sloop out of Manchester river on a Sabbath day, confessed, pleading necessity, was dismissed, court giving him a caution to be careful for the time to come.*

Peeter Goite, being charged by Ruth Williams with being the father of her child, was sentenced to pay 4s. per week for the first four weeks and 3s. per week thereafter for food and raiment for the child. He was bound, with Samuell Nicholson as surety.†

is at home & at his seuerall returns home is so cruell against my person that I dreade his societie. Therefore the petitioner being out of all hopes of A Comfortable subsistence; neyther For her self nor bringeing up of his & my three children with respekt to education in any wise ackcordinge to the rule of Gods worde & Lawes prescribed in this Commonwealth;" etc.

*Wit: John Sibley and ———Aling.

†Summons, dated 30 : 4 : 1682, to the midwife who was with Ruth Williams, also two other women as witnesses, signed by Hilliard Veren,‡ for the court, and served by the constable of Marblehead on Elizabeth Smith and Rebekeh Swet. The midwife was so busy in her profession that she could not attend, but sent her testimony.

Elizabeth Smith, aged about twenty-nine years, testified that Gregory Williams being at Marblehead when his wife was sick desired her and the nurse to look after her. She asked him what she should do if his wife died and he said for her to look after the child and he would satisfy her for it. Sworn, June 29, 1682, before Moses Mavericke,‡ commissioner.

Waiburrow Gatchell, aged about seventy years, testified that she was the midwife at the birth of Ruth's child and the latter said that Peter Goitt was the father of it. Sworn, June 29, 1682, before Moses Mavericke,‡ commissioner.

Elizabeth Smith and Rebeca Sweet testified to the same and that they had seen Goit go in to Ruth's house at twelve or one o'clock at night, the latter often sitting up late to wait for her husband's coming from sea. Sworn in court.

Ruth Williams, aged about thirty-five years, testified that Gregory Williams, being at Marblehead when his wife was sick, desired deponent as her nurse to look after her to see that she wanted nothing and he would satisfy her, etc. Sworn, June 29, 1682, before Moses Mavericke,‡ commissioner.

* Petition of Ruth Williams of Marblehead: that she had kept the child of Gregory Williams about ten months and tended his wife two months and had received but 40s.; she asked for satisfaction.

‡ Autograph.

Thomas Deane and Charles Phillips, bound to the court upon suspicion of cutting down several apple trees of Thomas Maule's, desired to be tried by jury. Verdict for defendants.*

Mr. Samuell Gardner, jr., John Foster, jr., and Anthony Buxton took the oath of freeman.

Capt. [Richard. — *Waste book*.] More, presented for selling drink without license, was fined, which fine was respitted.†

Whereas there was an order of court, 30 : 9 : 1680, for the appointment of meet persons to divide the estate of William Flint, deceased, court now appoints Mr. Samuell Gardner, sr., Mr. John Hathorne and Lt. John Higgenson.

Thomas Laiton and Frances Burrell were ordered at the last Ipswich court to sell enough land of the widow Mary Davis to pay her son-in-law, Thomas Ivory, for past maintenance of said Mary, and in the future in the time of her age and weakness at the rate of 4s. per week during her life. They were also empowered to bring suit for any rents or debts due to her, which should be used to defray the expense of maintenance of said Mary Davis.‡

Petition of Jno. Gatchell and Wibrough Gatchell, his wife, of Marblehead, said Jno. being sick and weak and not able to go to court: that they were "stricken in years and full of trouble" on account of the great charge put upon them by order of the court in the maintenance of the child of Grigory Williams, for which child several in Marblehead "good livers" have given cautions to save the town of Marblehead harmless and they asked that the bondsmen release them of the burden; Gregory was willing to come to Marblehead to get the child but was afraid because he was so much in debt.

Elias Henley's bill of cost about Peter Goit, 14s.

*Thomas Deane was bound on Apr. 17, 1682, with Robert Kitchen as surety, and Charles Phillips was bound, with Joseph Neale as surety, for appearance at the next court.

†Richard Moore, sr., of Salem. Wit: James Simons.

James Simonds, aged about forty-eight years, testified that he was at Capt. Mor's house about two months ago and saw Mor's wife take 2d. for a pot of beer.

‡Petition of John Daves, § inhabitant of Lynn, brother-in-law of Thomas Ivory, and son of Mrs. Mary Davis, that according to court order Mr. Thomas Laughton, sr., and Francis Burrell, sr., had sold five and a quarter acres of land which said Ivory accepted for the time past, but would not accept the 4s. per

§ Autograph.

William Russell, complained of for abusive carriages toward the master of the vessel, Thomas Jegells, and others of the company to which he belonged, and for swearing and threatening the master's life, was sentenced to be severely whipped. He

week for the future; that said John did not know that Ivory was going to that court at Ipswich which was not fair dealing; that his mother should be maintained by the estate and by her children, which are but two, petitioner and Thomas Ivory's now wife; that petitioner was and is willing to bear two parts to Ivory's one; "and am willing to doe my utmost for my honrd mother. And as I am the son I was willing to p^rserve the estate together while my mother lived if possible and soe have possessed y^e Inheritance of my father, of w^{ch} lands my brother might expect a third part or pay for it after my mothers decease. And yo^r petitioner hath the land by lease from my mother when shee was of good understanding & that for her life time, at a certayn rate per yeer which your now petition^r paid yeerly, soe as y^t Thomas Ivory owneth he received fourteen pounds & twelve shillings in this fowre yeers that he declared hee had maintained my mother, yo^r petitioner was willing & is willing to Joyne with his brother Ivory to maintaine o^r mother two parts for one with him, and hath proffred him that if hee be weary yo^r now petition^r would take his mother & keepe her: alsoe hath profred to refer the matter concerning his mothers maintainance to two Indifferent men or more & will be bound to stand unto & doe as they should appoynt but nothing wilbe accepted, but the land w^{ch} is yo^r petition^r by lease taken away, of which yo^r poore petition^r is enforced to complayne for in this way yo^r poore petition^r shalbe quickly bereaued of y^t w^{ch} he had good hopes to Injoy as the Inheritance of his father whereupon hee hath laid out a great deal to make a comfortable place of abode and now is greatly spoyled of his intentions and good subsistence & Thomas Ivory my brother hath given under his hand that he was fully satisfyed for all things concerning my mother to this foure yeers last past, & that therein he hath receiued neere fifteen pounds of mee wherefore yo^r poore petition^r is enforced to Implore this Honord Courts fauo^r that hee may not be driuen out of the Inheritance of his father, But that they both as children may be ordered to doe their duty, and the Inheritance of o^r father remayne together according to our deceased fathers intention."

Thomas Ivorye's* petition: that the court appoint some meet person to see to it that the rents be paid by John Davis toward his distressed mother's maintenance or dispose of the real estate to such persons who will pay rent, etc.

* Autograph.

was bound to good behavior and ordered to be kept in irons until the master and others should come to the Worshipful Wm. Browne and Batholomew Gedney, Esq., and declare that they were satisfied.*

Whereas there was administration granted of the estate of George Carr, sr., deceased, to Elizabeth, the widow, and George and James Carr, sons, they brought in an inventory of the estate amounting to 1,100li. There being eight children, sons George, William, James, John and Richard, and daughters Mary, Sarah, and Ann, court ordered the estate, as follows, to Elizabeth, the widow, 180li., to George, 180li., to James, in consideration of his portion and several years' service or living with his father, 180li., and to William, John, Richard, Mary, Sarah and Ann, 90li. each; also to James Woodman, son of Mr. John Woodman,

*Complaint of Thomas Jegles, jr., against William Russell, servant of Philip English: "that sd Russell being shipt on a fishing voiage by his master English under the sd Jegles as master of the ketch prosperous hath Caried himself very abusively and hath at many times swore prophanlie by the name of god & and did yesterday Absent himself from his busines that the sd Jegles was forced to hire a man In his Roome to worke In the washing of his fish & toward night the s^d Russell came on bord the catch he belonged unto & without provocation got a Long sharp pointed knife & did Run at the sd Jegles therwith, Endeavored to stab the sd Jegles In the brest but was prevented by Andrew Severy & Simon Rumzy & peter Colier In the doing whereof sd Russell did cut or scratch Andrew Severe's hand & afterward he got his bible & sd he would Read a vers or two before he died for he had but Little while to Live & sd unto sd Jegles tom: thou hast but a little while to live for I will be the death of the with many other outrageous Cariages as swearing by the name of god & flung much of the fish overbord which was utterly lost & likewise did Bitterly curs the sd Jegles himself & the Company biding the devill & the plag take them all: upon which the sd Jegles Is Afraid to Cary him any longer being himself & others of his company in danger of their lives: sd Russell having thretned to be the death of them." Sworn, June 30, 1682, before Bartho. Gedney,† assistant.

Simon Rumse, aged about twenty-five years, testified that he would have been stabbed by Russell if he had not been hindered. Andrew Severre, aged about twenty-six years, and Peter Colyer, aged about thirty years, testified to the same. Sworn, June 30, 1682, before Bartho. Gedney,† assistant.

† Autograph.

by Elizabeth, the daughter of Mr. George Carre, deceased, 24li.*

*Inventory of the estate of Mr. Georg Carre of Salisbury, taken 10 : 2 : 1682, by Ensigne Wm. Bussell, Henry Browne, John Weed, Tristram Coffin and Daniell Pierce: to N. E. money, 2li. 8s. 6d.; money, 9li. 3s. 10d.; English money, 1li. 12s. 2d.; Gold, 1li. 5s.; English money, 2li. 10s.; 1 Bed & Bolster and 2 pillowes as mony, 3li. 10s.; 1 pr. sheets, 1 blanket, 2 pillow Cases, 1li. 7s.; 1 pr. Courtains & valance, 6s.; 1 bedstead, matt & bead coard, 1li. 2s.; 1 Table & frame, 1li.; 2 chests & plank for a Table leafe, 11s.; 1 fouling peice, 2 musqt., 1 carbine, 2 rests, 4li. 5s.; 1 pike without a head & half pike, 4s.; wearing cloaths & Books, 12li.; 4 Cooshins, 5s.; a box Ioron & heaters, 3s.; a black Bearing cloath, 1li. 4s.; 1 sheet, 2 table cloaths, 2 pillow Beers, 4 napkins & old Towells, 2li.; 1 bed, 1 bolster, 2 pillow bears, 4li.; 2 sheets, 2 blanketts & a Rugg, 1li. 18s.; 1 pr. of Curtains, Bedstd, matt & bed cord, 1li.; 1 Truckle bed, bedsted, 2 sheets, 2 blanketts, 1 Rugg, 2 pillow beers & bolster, 5li.; 1 needlework Carpett, 1li.; 1 old cubbord, 10s.; 1 pistoll, 4 swords, five belts, 1 pr. bandaleers & one musquet, 2li. 15s.; 1 Chest, 6s.; 1 bed, one Bolster, 2 pillow beers, 2 sheetts, bedstead, matt & cord, 5li. 14s.; 1 Truklebed, bedstead & beading, 2li. 5s.; 2 pr. of spectacles, 2 pr. of tobacco Tongs & Tobacco box, 3s.; 3 spinning wheels, old Tubbs, one basket & 3 meal sives, 1li.; hops, malt & indian corne, 2li. 2s.; 2 bedsteads & an old bed, 15s.; 4 saddles, 2 pillions & 2 bridles, 3li.; 2 pr. of fetters, 6s.; 1 Croscutt saw, a coopers adds, 1 maule, 1 pr. pinchers, 4 agers, Ring bolts & other old Ioron, 3 plains & one how, 2li. 1s.; Hammers, wedges, sheeres, pinchers, shot molds & other old Iron, 9s.; Cordage & block & horse tackling, 1li. 15s.; 7 platters, 1 Basin, 1 saltseller, 3 porringers, two flaggons & other old pewter, 2li. 10s.; 1 Dripping pan, 1 mortar, 1 skimmer, 1 chafing dish, 1 frying pan, 1 gridiron, 10s.; 2 Brase Kettells, 2 Brase skelletts, 2 li. 10s.; 3 Iron potts, 2 pair of pothookes, Tramell, canhookes, 1 pair of Andirons, 2li. 10s.; 2 pair of Tonges & peel, 5s.; 1 Jack & spitt, 18s.; 1 Warming pan, 6s.; 3 pailles, 8 empty butts, 7 empty Barrells, 1li. 14s.; 1 side of leather, 12 chaires, 1 whipsaw, 1li. 7s.; 2 Augurs with old Iron, 2li. 5s.; 1 Cart & wheeles, 1li.; 4 sithes & tackling, 1 grinstone & wetbucket, 10s.; 300 foot of oake board, 200 foot of plank & Rough timber, 5li. 17s.; 6 Cowes, 3 heifers, 1 bull, 4 year olds, 25li.; 3 horses, 7 swine, 10li. 15s.; 1 Horse, 2li.; bill due from William Carr by assignment, 10li. 4s.; a Higdy pigldy lott, 30li.; 100 Akers of upland about holts Rocks, 110li.; Land by Gunners point upon the river, 50li.; land aboue Osgoods mill, 35li.; land bought of Enock Greenleafe, 20li.; 1 lott of upland above the mill Bought of Enoch Greenlef, 8li.; Right in the Common, 10li.; 2 Akers of.

meadow at Mr. Hall's farm, 7li.; 8 Acres of meadow in the cow common, 30li.; Enoch Greenleafes meadow in the cow common, 18li.; Higldy pigldy lott, 8li.; debt due from George Carr by mortgage, 33li. 12s.; Boates, 9li.; Amsbury ferry, 100li.; The Iland, Ram Island pasture over the bridge & ferry, and meadow adjacent to the pasture house & orchard, 800li. Daniell Pierce & Tristram Coffin dissented from the others on the value of the Island, they appraising it at 1000li. Debts as presented due from the estate, 40li. 5s. Daniel Peirce* and Tristram Coffin* certified that the appraisers met at Mrs. Carr's house at the request of her and her children on 10 : 2 : 1682, and they with her sons-in-law asked that an inventory be made of George Carr's estate. The appraisers asked whether it should be appraised as money or as country pay and they all agreed to the former. There were some things, like sea instruments, that were not appraised. Sworn by Capt. Daniel Perc and Sargent Tristram Coffin, June 28, 1682, before Robt. Pike,* assistant.

Henry Browne, sr., and Ensign Willi. Buswell testified to the same and were sworn June 23, 1682, before Robt. Pike,* assistant.

Inventory of the estate of Mr. George Carr, taken June 20, 1682, by William Osgood, sr.,* Walter Fayerfield* and Nathll. Weare:* the Island on which the house standeth containing about 57 acres with the housing, 220li.; Ram Iland, most of it being meadow 16 akers, 80li.; pasture land over the bridge about 35 acres, 87li. 10s.; one Higedle piglde lott of meadow, 30li.; one hundred acers of Land about hoults Rocks, 110li.; about 50 acors of land at Guner's point, 50li.; 90 acres above Osgood's mills, 40li.; 20 acors of land bought of Enocke Grenlefe, 20li.; a lott of land lying above the mill bought of Greenlefe, 16li.; a Right of Comon purchased of Grenlefe, 5li.; his owne Right in the common, 10li.; two acors of marsh in hals farme, soe called, 7li.; eight acors of meadow in the cow common, 28li.; four acors of meadow in the cow common bought of Grenlefe, 15li.; one higeldypegeldy lott at the Rivers mouth, 9li.; debt due from George Carr by morgadg, 33li. 12s.; the bridg and ferry below amsbery, 110li.; four old boats, 10li.; the ferry at amsbery, 80li.; mony of New England coyne, 14li.; mony of old England coyne, gold and silver, 2li. 18s.; the bed in the parlor, bedsted and furnituer, 6li. 10s.; a table & frame & two chests & a plank for a table leafe, 1li. 6s.; a fouling piece, two muskets, a carbine & 2 Rests, 4li. 10s.; one pike and a halfe pike, 4s.; his wearing clothes and severall books, 6li.; shoos and boots and 4 cushens, smothering Iron & heaters, 1li. 3s.; a bearing cloth, a sheet, two table clothes, two pillowbers, 4 napkins and old towells, 2li. 9s. 6d.; one bead and bolster, two pillows, 4li.; two sheets, two blankets and a Rug, all old, 18s.; one paire of old curtains, bed cord,

* Autograph.

matt, 6s.; a truckell bed, two sheets, a blanket, Rug, two pillows, bolster, bedsted, all old, 3li. 18s.; one Nedlle work Carpit and old Cubberd, 1li. 4s.; one pistill, 4 swords & belts & banders & old muskit, 2li. 10s.; one chest, one bed, one bolster, 2 pillows, 2 sheets, a bedsted, a matt & cord, all old, 4li. 1s.; an old trundle bed, bedding & bedsted, 1li. 13s.; pieces of bedsteds and old beding, 5s. 6d.; two per of broken tobacco tongs & spectecles, 1s. 6d.; old spinning whels, old tubbs, a basket, meall sives, 8s. 6d.; about 4 bushels of corne, malt and hops, 15s.; 4 old saddls, 2 pillions, two pieces of bridles, 2li. 2s.; croscut saw, coopers Ads, one maull, pincers, 4 augers, Ring bolts, &c., other old Iron, 3 plains, 1 how, 2li. 7s.; hammers, shers, wedges, pincers, shott molds & other old Iron, 10s.; cordadg, hors taking and blocks, 1li. 15s.; platters, bason, spoons and other pewter, 2li. 2s.; two bras kettells, two brass skilletts, Iron pots, old, one per Andirons and other Iron utensels, 4li. 5s.; a Jack & spitt & warming pan broken, 1li. 1s.; pails, empty kaske and such lumber soule lether, old chayers and old whipsaws, 2li. 11s.; old Augurs with other old Iron cart and whells, 2li. 18s.; sithes & taklen grindstone & well bucket, 10s.; pine bords, oake bords, sum planks & Rough timber, 3li. 5s.; neat cattell, six cows, 4 yerlings, 3 two yer old & a bull, 29li.; 3 horses & one hors in the hands of Thomas Putnam, 9li. 10s.; six swine & pigs, 3li. 6s.; an hour glas, old lanthorne and other small things, 2s.; a bill dew from William Carr, 10li. 4s.; to Mr. Jams Baile upon the account of the portion of Mary his wife which they had received, 23li. 1s.; paid to Thomas Putnam and Ann his wife on acount of his wife's portion, 20li. 8s. 6d., paid to William Carr towards his portion, 19li. 3s. 6d.; total, 1,145li. 9s. 6d. In the hand of Thos. Baker, 1li. 16s. 6d. Debts due from the estate: for funeral expenses, 17li. 4s.; to Jams Car for 11 yers servic of himselfe and thre yers of his servant, 154li.; due to Georg Carr for one yere and halfe time of his servant, 6li.; other debts, 25li. 4s. 1d.; total debts, 202li. 8s. 1d.

"There is a list of debts titled Exetor D^a Amounting to 30li. 10s. & 8d. as is cast up in the lower end of the papper given in, & an other list of debts amounting to 11li. 19s. & 2d. which are debts owing to the estate of Mr. George Carr deceased: but both being badly writin & all the pticuler mens names not well to be read, only the sumes were desired to be taken out in the whole of each paper, which are as is aboue exprest."

"I would intreat you & all of you to pay to my sonn William Carr this small detes for mee your frend, Elezabeth Carr.* Salsbury 10 march 1681-82:" daniel lad, jr., 3s.; John willams, 6s. 10d.; iozef willams, 3s. 6d.; willam huchins, 14s. 3d.; sam lad, 6s. 3d.; tho. duston, 2s. 2d.; tho. hardy, 2s. 6d.; io Palmer, 6s. 2d.; Peter brewer, 7d.; tho. eatten, sr., 3s. 3d.; iohn borbam,

* Autograph.

sr., 1s. 9d.; robbard ayres, 1s. 1d.; Sam gill, 2s. 5d.; robbard haiselton, 2s. 2d.; widow tiler, 3s. 8d.; old huchens, 16s. 6d.; tho. ayers, jr., 4s. 3d.; miel emersson, 1s. 1d.; goodman hindrick, 1s. 4d.; iotham hindrick, 4s. 2d.; old haselton, 4s. 4d.; georg brown, 3s. 6d.; goodman Swan, 5s. 6d.; sam. woster, 5s. 1d.; daniel lad, sr., 2s. 6d.; goodman grely, 5s.; io bond, 12s. 11d.; iames daves, 13s. 2d.; robbard Clemens, 10s. 3d.; daniel Clemens, 8s. 6d.; iohn Clemens, 1s.; tho. hardy, —; tho. hartshorn, 1s. 1d.; Sam. Simons, 1s. 1d.; iames sanders, 3s. 6d.; iohn cazer, 2s. 1d.; old heath, 3s. 3d.; goodman mash, 2s. 6d.; goodman gill, sr., 2s. 5d.; Peter ayers, 13s. 5d.; old Singiltary, 4d.; goodman whicher, 4s. 6d.; iohn roby, 1s. 1d.; will nef, 9s. 4d.; goody sherrod, 6s.; tho. dow, 9s. 2d.; steven dow, 1s. 5d.; io payg, 1s.; io heath, 5s. 3d.; steven webster, 6s. 1d.; iohn stockbredg, 1s. 1d.; sam wats, 1s. 1d.

Exeter detes, which Elezabeth Carr* ordered her son William Carr to receive on Feb. 2, 1681: old mister folsom, 3s. 4d.; mr. mathew fulsum, 9s. 4d.; Mr. kinsli hall, 18s. 2d.; lieutenant hall, 11l. 15s. 1d.; Mr. Stanian, 11s. 2d.; Mr. Peter fulsum, 11l. 14s. 10d.; Mr. John fulsum, 13s. 3d.; goodman Morgin [?] —; Mr. Edward Smith, 11l. 5s. 1d.; thomas mickens, 2s. 2d.; goodman Jones, 1s. 1d.; Mr. Stanard, 2s. 2d.; Mr. thomas wiging, jr., 3s. 4d.; mr. Efrom fulsum, 11l. 4s. 10d.; mr. John gilman, Edwards son, 4s.; Elezaah Elcin, 2s. 8d.; mr. Samwill levet, 12s. 1d.; samwill wates, 1s. 1d.; mr. andrew wiging, 11l. 11s. 1d.; mr. Charles hilton, 5l. 1s. 8d.; James godfre, a thousand white oak pipe staves & a shiling more; old goodman robinsonn, 16s. 6d.; John Young, 11l. 4s. 6d.; goodman lesen, 1s. 1d.; mr. willam more, 4s. 4d.; thomas waling, 1s.; goodman whiten, 4s. 6d.; goodman Hawck, 2s. 2d.; James Hewcking, 4s. 3d.; Crister dolen, 2s. 6d.; Charles gleden, 4s. 10d.; mr. samwill fulsum, 11s. 1d.; Edward shouel, 1s. 1d.; arter lenick, 10s. 1d.; tage drescut, 2s. 2d.; gorg swet, 2s. 2d.; gorg John skiling, 2s. 6d.; Charles runlet, 5s. 8d.; mr. daniel gilman, 11l. 1s. 9d.; Carlton Danfut, 11l. 19s.; mr. moyses gilman, sr., 7l. 6s. 10d.; Joseph tailer, 2l. 4s. 7d.; total, 30l. 10s. 8d.

Copy of the Boston records of births and marriages by Isa. Addington,* cleric: Mr. John Woodmansey was married to Elizabeth Carr, daughter of George Carr of Salisbury, May 1, 1662, by Mr. Tho. Danforth; James, son of Mr. John Woodmansey and Elizabeth, was born 7 : 10 : 1665.

Claim of Jno. Woodmansey,* dated Boston, June 26, 1682, that his son James, the only surviving child by Elizabeth, his wife, was entitled to a child's portion, because Geoge Carr had promised upon their marriage that said Elizabeth should share equally with the other children of said Carr, and since her death

* Autograph.

he had promised that the grandson should share equally with Carr's other children.

Letter of attorney, dated June 26, 1682, from William Carr† of Salisbury to his brother-in-law John Allin of Salisbury. Wit: Tho. Bradbury* and Robert Ring.* Acknowledged before Robt. Pike,* assistant.

James Oliver, aged about sixty-four years, testified that Elizabeth Carr, the eldest child of his brother-in-law George Carr, lived with him from infancy until, with the consent of her parents, she was married to John Woodmansey, with whom she lived three or four years, then departing this life leaving only one son James who is now nearly seventeen years of age. Carr looked upon the grandson as his own in the place of his daughter who was very dear to him, and promised that James should have his mother's portion. Sworn, June 27, 1682, before John Walley,† commissioner.

John Chas, aged about twenty-five years, deposed that he lived with Mr. George Carr, deceased, about seven or eight years ago and often heard him encourage his son James to go on with his business telling him that he should be no loser by it. Also deponent heard Carr say that nobody should remove James by which he understood that he meant to settle him upon the island where he then lived. Deponent lived for the greater part of two or three years in Carr's house and James was always very faithful and diligent in his father's business. Sworn, June 24, 1682, before Robt. Pike,* assistant.

Mary Gold, aged about twenty-one years, testified that while she lived with her master Georg Carr, deceased, she heard him say that he would take care that his brother Richard Carr should not want and that if he died before said Richard that he should leave him ten or eleven pounds a year as long as he lived. James Carr was present when these words were spoken. Sworn, June 24, 1682, before Robt. Pike,* assistant.

James Freeses, aged about forty years, testified that being with his master Carr in his sickness, waiting upon him about a week before he died, in the evening he heard his master say to James Carr "It is now my will to give you this Island, and be sure be carfull of John and your sister Mary, be sure doe not wrong her, shee has beene a good girll to me," and he was rational at that time. Sworn, May 9, 1682, at Ipswich court. Copy from the records at Ipswich, book 4, page 456, made by Robert Lord,* recorder.

John Hendrick, aged about thirty-three years, testified to the same, he being one of the watchers with George Carr in his last sickness. Sworn, May 9, 1682, at Ipswich court. Copy from the records at Ipswich, book 4, page 456, made by Robert Lord,* recorder.

* Autograph.

† Autograph and seal.

Jno. Dole* certified that he was called to Mr. George Carr, sr., in the beginning of his last sickness and "Judged his nerves to be much affected, both the Braine medulla spinalis and the nervous parts of the Reines, & bladder by wch the other Nervous parts of the body were much distempered. I was frequently with him till his death, And according to my best Judgment (& his own wordes signifying y^e same) he was not capable to settle his Estate, but desired his children to agree amongst themselves, And according to my Judgment he was not compos mentis scarcely any time of his sickness though sometimes he seemed to be rationall." Sworn, June 26, 1682, before Robert Pike,* assistant.

John Bayley and Elenor Bayley testified that being at Mr. Carr's house in the first week of his sickness one of them asking him to make a will, he replied that he was not in a capacity to make a will at that time. Sworn June 26, 1682, before Robt. Pike,* assistant.

James Bailey's petition to the Salem court, June 27, 1682: "Whereas by y^e Providence of y^e Almighty my father Carre dyed intestate, who during y^e tyme of his sickness severall tymes declared himself incapable of disposing his estate, saying he must leave it to ye Courts determination, after whose de cease all partyes therein concerned agreed upon certain psons viz. Capⁿ Pierce Sergeant Coffin Insigne Busswell Henry Brown & Jn^o Weed to Inventory y^e estate to w^{ch} they Subscribed their names; but some of y^e fores^d partyes concerned in y^e estate (not being contented therewith) without ye advice or knowledge of my self & some others alike concerned procured a temporary power of Administration, wch I humbly conceived ye Court intended for y^e better preservation of ye estate from damage & determination, that in due time each party might have their due proportion according to yeir Just Interest therein, by y^e improvem^t of wch. power they have manifested a design of Injury to my self & Some others y^t they have pcured another apprizem^t by Strangers to y^e estate one of ym living at Wenham near twenty miles off; another at Hampton being not in this Colony; wch is greatly reflecting upon y^e forementioned Apprizers, being men of known ability & fidelity for such a work, wch Administration also was suddenly obtained in y^e absence of some of y^e persons concerned, who had much to plead relating thereto; that in due tyme every person might have his due proportion in value & in specie; wch thing is now o^r desire; Some part of y^e estate being undervalued & Some not Inventoryed at all. Had I been personally presn^t I should have been better able to have spoke to y^e case but God (by his Providence) hath visited me wth a long sickness wch y^e Doctor as well as my self and others do Judge was occasioned by my long attendance upon

* Autograph.

my father Carre (at his earnest & continuall desires) in y^e tyme of his Sickness, who would not Suffer myself nor wife to be absent from him, wch daily & nightly attendance hath occasioned me to come under a Course of Phyick almost ever Since & hath (by y^e advice of y^e Doctor) taken me off from my necessary Imployment in order to y^e recovery of my health.

"My Humble Petition therefore is y^t Whereas God hath committed y^e ordering of this affair to yo^r pious & prudent care as fathers to y^e fatherless y^t some effectuall care & course may be used y^t wee may have o^r due Just & equall right & proportion in y^e estate; Having received as yet little or nothing of my father Carre upon y^e acco^t of a portion altho it was & is well known y^t he had alwayes a peculiar affection to my wife & in an especial manner upon his death bed affectionately desired y^t shee should not be wronged wch wee now think wee are in danger of by reason of y^e endeavors of some to get y^e estate into y^eir own hands. My mother Carr having also manifested (as wee conceive) too much partiality to y^e case viz. ag^t y^e daughters in striving to get y^e estate (to y^e great damage of y^e daughters) settled upon y^e sons. Be pleased also to consider y^t I have not, neither ever had any design to abridge my mother Carr or any other of their just right, but only y^t I might have that right wch by y^e Law of God & man belongeth to my self wife & children."

Petition of Elezabeth Carr,* widow of George Carr, 27 : 4 : 1682, showing truly the condition of her family: "the sons are Georg and William and James and John and Richard. John hath bin crazed or distempered in his head thes seven yers and is not capable to gouern himselfe, who my husband did desier should be committed to the care of his brother Jams. My daughters were four elizabeth was taken when she was but about 3 yers old by my brother and sister oliuer as ther owne and when John woodmance did marry her he sayd that he would not take her as our daughter but as my brother oliuers child and as my sister oliuer did tell me he the said woodmance had about five hundred pounds with her and about 16 yers sinc she dyed and left but one child and ther is settled upon him as hayer to his mothers portion a liuing that is worth 16 pounds per yer soe that I humbly conceiue ther of Right doth not belong to John woodmance from my Husbands estate anything and Sarah the wife of Thomas baker liued with her uncle oliuer, from the age of eight yers untill she was married and of them Receued to the valew of twenty pounds or more, and my daughter mary is the wife of Jams baile || hath recvd twenty three pounds one shilling || and Ann the youngest the wife of Thomas putnam hath Receued twenty pounds eigh and six penc. Richard Carr, brother to my deceased husband, liueth in the house with us brought thither in my husbands life time and by his

* Autograph.

Andrew Tucker was bound for the maintenance of the child of Ann Gilbert to be paid weekly as the court should order. Philip Fowler was released from his bond.

Katheren Ellenwood, complaining of her husband Ralph Ellenwood's insufficiency, was given her apparel and what estate she brought with her, and court declared the marriage annulled.*

order, being ancient and cannot prouid for him selfe and it is most euident that my husband did often say that he would tak care for his brother and also did declare to seuerall that his brother Richard should haue ten or eleuen pounds per yer out of his estat soe long and his said brother should liue, and we would Intreat youre honnours to determin for us how the estate shall doe it. it was my husbands declared mind that my son Jams Carr that had bin carfull of his fathers buisnes and duitifull to him and liued with us eleuen yers after he was com to age, should be settled on the lland wher we liued and I now dwell and if your honnours think it fit I would Intreat that I might haue my part of the estat that is assigned to me to be ordered soe that conueniantly my son Jams may manadg it for me and that I may liue with him my other sons hauing famelys of ther owne thos of them that are about me and capable to doe it for me, and if your honours think it meet to leaue sumthing of the estate to be at my dispose at my deceas among my children; for I did bring to my husband in that which was good estate to the valew of two hundred pounds."

*Ka. Ellenwood's† petition: that she was very young and would rather die than live with this man, etc.

Willmutt (her mark) Mould, Mary (her mark) Cromwell and Ann (her mark) Cromwell testified.

Mary Houghton† deposed concerning what Ralph Ellenwood told her in his house one night when she sat up later than usual. He said he thought there were witches not far off, etc.

Ruth Haskins,† wife of Roger Haskins, testified that Katherin Ellenwood, being a near neighbor, was to her knowledge a woman of civil carriage in word and action.

Danil Weld† and Richard Knott,† chirurgurgeon, testified that they were ordered by court to report upon Ellinwood's condition, etc.

Abigal Ston,† wife of John Ston, testified that Katharin Elenwood lived near her one year, and Elizabeth Hoopert† testified to the same and that Katharin was a civil person, etc.

David Perkins† and his wife Elizebeth Perkins† testified that she lived near them one year, etc.

† Autograph.

Joseph Gatchell, for presuming to replevin a horse in John Putnam, jr.'s, hands, pretending to be and reading as if he were the marshal's deputy, then taking the horse away and delivering him to another who challenged the horse to be his, requiring said Putnam to appear before Mr. Gedney, refusing to give him a copy of the replevin, was convicted. The court, to bear testimony against such presumptuous evils which are next door to forgery, fined him 10s. in money and debarred him from giving evidence in court until set at liberty, and ordered that it shall not be lawful for any officer to make him his deputy to serve any attachment or replevin upon such penalty as shall be imposed for contempt.*

It being suggested to this court that several persons who were formerly allowed to be public sellers of drink, but since the last restriction by the law as to number in a place have not had their

John Ricards† and his wife Elizabeth Richards† testified to the good character of Katharine, etc.

Mary Horton† testified that Katherine lived in one room of the house in which deponent lived and that she was a civil woman.

*John Putnam's bill of cost, 7s. 6d.

Humphry Devorax, aged about twenty-four years, and Elizabeth Devorax, aged about eighteen years, testified that this horse of Thomas Nickleson was sold and delivered by John Brocke to said Nickleson who had had him in possession ever since until the said horse strayed away. It is the same horse that was taken up as a stray and kept some time the past winter by Jno. Putnam, jr. Sworn, Apr. 10, 1682, before Bartho. Gedney,† assistant.

Samuel Cuttler, aged about twenty-one years, and Martha Wiless testified that they were at John Putnam's when Thomas Neckleson and Joseph Gatchell and the other man came to see the stray horse. When Gatchell replevined the horse, Putnam asked to see a copy of the replevin but Gatchell refused him twice. Sworn, Apr. 3, 1682, before B. Gedney,† assistant.

John Putnam, aged about twenty-five years, and Martha Wiles testified that Gatchell read the replevin in which he said he was appointed the marshal's deputy, etc. Sworn, Apr. 3, 1682, before B. Gedney,† assistant.

Samuel Cuttler testified that the horse at Jno. Putnam's was kept up to a hay mow almost constantly the past winter and had hay sufficient, and also oats or corn every day, especially the latter part of the winter. Sworn, Apr. 3, 1682, before Bartho. Gedney,† assistant.

† Autograph.

license renewed and yet keep up their signs which may occasion men innocently to resort to them, court ordered that the marshal or constable take means to pull down their signs and warn such persons as persist to appear at the next court.

John Whitteer dying intestate, court granted administration upon the estate to John Knights and Mary, his wife, who presented an inventory.*

Court ordered them to pay out of the estate to Isaac and Abraham, brothers of deceased, 5li. between them at the age of twenty-one years.

Nicholas Wallingford dying intestate, administration upon his estate was granted to Elizabeth, the widow, who presented an inventory.† There being one child Nicholas, court ordered that the whole estate be in the hands of the widow for bringing up the child, they to share the estate equally.

*Inventory of the estate of John Whitere, who departed this life Dec. 29, 1681, taken June 26, 1682 by John Sibly† and Samuell Leach:‡ on tou year old heifer, 1li. 10s.; money in ye hands of John Elithorp, 2s.; money in the hands of John West for cutting of fifteen cords of wood at 1s. 9d. per cord, 1li. 2s. 6d.; on casy coat, 18s. and searg brichis and wescoat, 1li., 1li. 18s.; on hat, a pear of stokens and pear of glovs, 7s.; a pear of hom spun brichis, 8s.; on Cutlas, a powder horn and belt, 8s.; on chest, 4s.; neckcloths and handgartchees, 12s.; 30s. 5d. in the hands of Leuit. Thorndick; 5li. due from his fathers estate; total, 12li. 17s. 11d. Estate debtor to John West for 6 weeks diat, 1li. 4s.; to Doct. Barton in mony, 1li. 15s.; to Thomas West in mony, 8s.; to Widow horten, 2s. 6d.; to John Swarten, 5s.; to Aron Bennit, 2s. and to William Bennit, 2s. 6d., 4s. 6d.; to John West, for a gallon of brandy, 4s.; total, 4li. 3s.

†Inventory of the estate of Nicholas Wallingford, taken by Shu. Walker‡ and Ezekiel Clenton:‡ wooden ware, ———; chaires, wheels, 2li.; utincils for husbandry, 1li. 10s.; provisions in ye house, 1li. 10s.; a paire of loomes and tackling to them, 6li.; 2 oxen, 2 cows, 1 horse and swine, 30li.; house, Land and meadow, 130li.; total, 195li. Debts due to ye estate: Mistriss Wooster, 19s. 9d.; Robbt. Savery, 12s.; William huchins, 3s.; Joseph Palmer, 7s. 6d.; total, 2li. 2s. Debts due from the estate: to Dockter Doell, ———; to Mistris Whit, ———; to Jeams Coffin, ———; to Stephen Greinleife, sr., ———; to Mathew Pettingall, 10s.; to John Hordy, 7s.; to Robbt. Severy, 3s.; widdow Wollingford, 12s. 3d.; to Joseph Bailly, 10s. 8d.; to Caleb hopkinson, 17s.; total, 12li. 2s. 7d.

‡ Autograph.

Mary, widow and administratrix of Nathan Parker, presented an account of debts due from the estate brought in since the inventory was filed 26 : 4 : 1679, which were deducted from the estate before division.*

In answer to a petition of An Neale, administratrix of the estate of John Neale, deceased, court accepts two-thirds of the land called Tuck's lot together with the house thereon intended to be built, for security for the children's portions and releases the other third part for the widow's necessary use.†

Richard Simons dying intestate, administration upon the estate was granted to Hanna, relict, who brought in an inventory of about 60li.‡ Court ordered to Richard, the son, 20li. at age, and the remainder to the widow for his bringing up.

*An account of debts due from the estate of Nathan Parker, late of Newbery, deceased, which Mary, the administratrix, paid out: to John Guile, 7li.; Mr. Hugh March, sr., 2li. 10s.; Mr. Tristram Coffen, 5li. 10s.; Mrs. White, 6li.; John Webster, 1li. 10s.; James Smith, 15s.; Joshua Mors, 1li. 10s.; William Worm, 10s.; Robbert Long, 2li.; Benjamin Mors, 3s.; Hugh March, jr., 6s.; Mr. Davisson, 1li.; Israell Webster, 7s.; old Mr. Anthony Summersby, 14s.; Moses Pilsberry, 1li. 19s.; Widdow Knight, 11s.; Mr. William Noice, 1li. 8s.; John Bartlet, 13s.; Lost out of it by Providence a cow & 2 swine immediately after ye settlement of ye estate, 5li.; John Sawyer, 2s.; Mrs. Woodbridge, 11s. 9d.; Doctor Doell, 9s.; Mr. Thomas Noice, 6s.; debts paid formerly out of this, 13li.; debts since paid, 27li. 14s.

†Petition of Ann Neale,§ dated June 28, 1682. Mentions "the house I am now building."

‡Inventory of the estate of Richard Simonds, taken 9 : 4 : 1682, by Hilliard Veren§ and William Swetland:§ a smale pcell of ground with a new frame standing thereupon in Salem, 26li.; about one thousand of board, 1li. 10s.; a fether bed, bolster, pillowes, Rugg, blanketts, sheets, curtains & vallenc & bedsteed, 7li.; a hatt & 3 pr. gloves, 7s.; his wearing apparrell, 5li. 10s.; a smale pcell of yarne & 1 stocken, 6s.; a smale pcell of Linnen yarne, 10s.; 4 yds. of lin cloath, 2s. pr. yd., 8s.; his wearing linin, 3li. 6s. 6d.; housold linen, 1li. 5s.; a brass Kettle, 20s.; Iron pot & kettle, 10s.; chamber pot, 4s., an old lamp, 6d., a scillett, 2s., 6s. 6d.; a warming pan, 10s.; a box Iron & heaters, 30d., 12s. 6d.; a tramill & paile & old pistoll, 6s.; a trunk at 10s., a box, 2s., 3 chests, 8s., 1li.; 3 silver spoons & dram cup, 1li. 10s.; cash, 25s., a goold ring & few buttens, 20s., 2li. 5s.; fire shovell, tongs & ax, 6s. 6d., andirons, 6s., 12s. 6d.; an old gun & old

§ Autograph.

Mr. Wm. Perkins of Topsfield dying intestate, administration upon the estate was granted to Elizabeth, the relict, and John Perkins, his son, the latter presenting an inventory.* By consent of all the children the estate was to remain in the widow's hands for her use until the court took further order.

rapier, 16s., a smale pr. stilliards, 4s., 1li.; 3 chaires & little table & cradle, 12s.; a brass scillett, 3s., earth, pewter & bottells, 30s., 1li. 13s.; a case of bottells, 4s., som old barrells & lumber, 30d., 6s. 6d.; sea Instruments, 10s., bookes, 10s., trenchers & sum lumber, 1li. 5s.; a remnant of linen cloath, 4s.; som sea cloathes, 15s.; some lumber, 1s.; total, 60li. 1s. 6d. Cr., by John Simons, 8li. 11s. 6d.; by Pasco Foot, 3li.; Tho. Lucy, a desperate debt, 2li. 15s.; total, 14li. 6s. 6d. Estate Dr., to Samll. Shattock, sr., 1li. 1s. 10d.; Tho. Ives, 19s.; Wm. Brown, Esq., 2li. 18s. 9d. Mr. Higgenson, 2li. 7s. 7 3-4d.; Mr. Thomas Gardner, about 2li. 10s.; Doctor Wells, 2li. 1s.; funeral charges, 1li. 10s.; Mr. Hust, 16s.; total, 14li. 4s. 2 3-4d.

*Petition of Tobiah Perkins,† John Perkins,† Timothy Perkins,† Oliver Purchist† and Mary Purchase, John Bradstreet† and Sarah Bradstreet,† John Baker† and Katherine Baker,† John (his mark) Ramsdel and Elezebeth (her mark) Ramsdel, Thos. Fiske† and Rebek, his wife: "Wee the relations & kindred of Mr. William Perkins of Topsfeild, deceased, doe heereby take the boldnes to signifie unto this Honord Court that whereas o^r Honord father aforesaid dyed Intestate & hath left noe will: wee that are his suruiuing children both by nature & marriage doe Joyntly & mutually conceiue that the estate that is left is too little to maintayne o^r Honord mother. whoe is a widdow & now under much weaknes, wherefore wee thought good to declare that wee haue noe expectation or looking for any part thereof but are well content that the Honord Court will please to settle the whole estate upon o^r Honord mother soe as to Injoy it for her best comfort whiles she liueth & alsoe dispose of what may bee remayning at her decease according to her discretion w^{ch} if this Honord Court please soe to doe it shall Oblidge us in all humility & thankfulnes."

Inventory of the estate of Mr. William Perkins, taken June 15, 1682 by John Gould, sr.,† and Thomas Perkins, sr.:† severall bookes prized by Mr. Samuell Philips & Mr. Edward Paison at 2li. 10s. 11d.; one other parcell of bookes prized by Mr. William Hubbard, 5s.; one other parcell of bookes prized by Mr. Joseph Capen, 1li. 5s. 5d.; 4 oxen, 18li., & three cowes, 9li., 27li.; 9 swine small & great, 4li. 10s., 1 horse, 3li., 7li. 10s.; 5 yonge cattell, 9li. 4s., to 14 shepe & 6 lams, 15li. 10s.; putter, 3li. 10s.; Iron

† Autograph.

The will* of Mrs. Abigaile White, the late wife of William Lord, deceased, was proved.

potes & brase Cittleles & panes and tramiels & andirons & spites & som other small Iron ware, 8li. 6s.; 5 Chares, 10s., 1 saddlle, 6s., 16s.; cheespress, 4s., sheepe woole, 10s., 14s.; 1 old bed & beding, 40s., 1 Cart rope, 2s. 6d., 2li. 2s. 6d.; 1 fether bed & bedding & bedsteed & curtaines & 1 bolster, 4li.; sheets & bord cloth & napkines & waring cloth & one parcell of flax, 7li. 3s.; 1 haye hooke, 1s. 6d., 1 chest, 3s., 4s. 6d.; earthen ware, 3s., 1 silver cupe, 6s., 9s.; 1 fether bed & beding & bedsteed & Curtains & all belonging to it, 10li.; 2 chest & 1 tronke, 1li., & 1 Carpet, 10s., 1li. 10s.; 16 yards of home spune cloth, 2li. 8s.; 1 tabell & 2 formes, 1li. 10s., & 1 old case, 1s., 1li. 11s.; 1 Chare, 3s. & 1 Cubbord, 3s. & yaren, 1li. 3s., 1li. 9s.; Cart wheeles, 1li. 10s., & 3 Chanes, 15s., 2li. 5s.; plowes, 8s., warming pan, 10s., 18s.; spinning wheeles, 6s. & 5 bariell, 11s., 17s.; pailles & other small thinges, 6s.; 1 tabell & formes, 8s., 1 Jont stoole and one meeale trafe, 3s. 6d., 11s. 6d.; total, 103li. 1s. 10d. Also the General Court graunted to Mr. William Perkins one hundred acres of Country land. Estate debtor, 35li. 8s. 8d.

*Will of Abigall (her mark) White,† wife of Mr. Resolved White of Salem, dated Apr. 26, 1682: "Whereas in the last will and Testament of my former husband William Lord, there was liberty & power giuen & granted unto me the said Abigal, then his wife, that whatsoever Estate of his was left at my decease should be giuen & disposed of to the children of his kinsman William Lord of the same towne, according as I should thinke fitt. I therefore the said Abigal being now ancient & weake with age, but of good understanding & memory in order thereunto, & to discharge my duty in fullfilling the will of my said husband, doe dispose of the said estate, to y^e aforesaid children as followeth

"Imprimis, whereas three of the children being married, haue already receaued their portions, that is, Abigall, William, & Elizabeth, therefore what remaines of the said estate, at my decease, which I know not how soon it may be, I diuide among the rest of the Children, as followeth, viz: I bequeath to Margaret, one halfe of the dwelling house where her brother in law William Godsoe now liues, by the rivers side, below my dwelling house in Salem, namely the East end of y^e said house, with this ground adioyning thereto

"Item, I apoint unto Joseph Lord that dwelling house of mine where Thorne now liues, scituate neere the meeting house in Salem, betweene the houses of Edward Winter on the north & Samuel Gray on the South & adioyning to y^e said houses, to-

† Seal.

Joseph Allen dying intestate, Bethiah, the relict, was appointed administratrix, who presented an inventory,* and the estate was ordered to be for her use in bringing up the children.

John Marston and Mannasseth Marston brought in a writing

gether with y^e ground behind the said houses, & all profitts, priueledges & apurtenances thereto belonging

"Item, I apoint to Jeremy Lord, one Acre of fresh meadow, or bastard marsh, lying in the South field of the said towne, neere unto y^e fence, hauing the land sometye belonging to y^e widdow Spooner, on the one side thereof, & some land of Capt. John Corwin, on the other side, & some land of Will^m Lord on y^e west.

"Item, what is left undisposed of shallbe deuided betweene the other two girls Jane & Dinah Equally but the household goods that is left betweene Joseph Jeremy Jane & Dinah equally & all this to be done diuided & disposed of after my decease but not before.

"Item. I apoint or desire M^r Joseph Grafton senior, & M^r John Tawly, to be ouerseers of this my last will & testament, allowing them ten shillings apiece to be paid out of the houshold goods, or by the Children, among whom the said houshold goods shallbe diuided." Wit: Edw. Norrice† and Ellessabeth Tawly.†

Abigall (her mark) White "upon further & serious consideration doe will & bequeath to Resolued White my now husband my wainscott bedsteed & the bed & bedding & all app^tenances y^t doe belong thereto & 2 pr of my best p^r sheets (being the best bed on which wee ly) alsoe my cheast standing in the roome where wee ly: & alsoe soe much more of the houshold stuff at his choyce as to make up the before mentioned pticulers twenty pounds:" Mr. Joseph Grafton, executor. Wit: John Higginson, sr.,† Hilliard Verent† and Ellessabeth Tawly.† Hilliard Veren made oath in court before B. Gedney,† assistant.

*Inventory of the estate of Joseph Allen, taken June 21, 1682, by Edm. Batter† and Will. Swetland:† 1 psell of Nailes, 1li. 6s.; 1 woolen Coate, shirt & drawers, 2li. 2s.; 1 Coate breechs stockings & Jacket, 1li. 2s.; a small peec of land 32 Rods, 8li.; a Lame Rame, 1li. 10s.; brasse & Iron pots and kitles, 2li.; 2 Table & Case of Drawers, Cradle, 2 old chests, old Trunke & Chairs, 2li.; bedsteed, bed & furniture, 5li. 10s.; 4 p sheets & 1 p shoos, 1li. 19s.; 1 p belows, friinge pan, tongs, 12s.; books, 8s.; severall things, 12s.; Lumber, 8s.; total, 27li. 9s.

† Autograph.

as the will* of their father John Marston, deceased, which was not proved. They renounced their executorship and court appointed John Marston, the son, administrator, who was to bring in an inventory to the next Salem court.

William Woodley dying intestate, Elizabeth, the relict, was appointed administratrix, with Richard Russell, her brother, the latter presenting an inventory† of the estate amounting to about 60li. clear. Court ordered the whole estate to the widow for the bringing up of the child Miriam, said child to have 15li. at age or marriage. The house and land mentioned in the inventory were to be bound for the child's portion.

*Will of John Marston, sr.,‡ dated Dec. 18, 1681: "I John Merstone senior being sicke & weake in body am willing to sett my house in order & as for my outward substance I am willing & do hearby giue vnto my wife all my whole estate for hir life time exsept my sonne John Merstone 2s. & the rest of my Children twelpence a peece I do allso make my sones John Merstone & Manaseth Merstone my Joynt Exsecitars for all my house & land unsold & for my sonne Beniemen I Doe giue him fiae pounds att my wiues desease if there be so much left And as for my sone Ephoram I do giue him the fether bead that he borrowed of me so long & to pay to the exsecitars twelue pounds ten shilling which Thay must pay for me which is epherams debt to Richard pudisker of Bostone & for the moveabls to be giuen to my two daughters Sarah & Abigal As my wife see conuenient.". Wit: William King‡ and Samuell Robinson.‡

†Inventory of the estate of William Woodley, deceased, taken June 12, 1682, by Moses Mavericke‡ and Archbald Ferguson:‡ his house and land, 50li.; his wearing apparrell, woollen & Linnen, 2li. 14s.; featherbed, bolster & pillows, 4li.; two Blanketts & 2 ruggs, 2li. 4s.; a Bedstead & curtains, 1li. 6s.; Two pr. & 1 single sheet, 1li.; one sea bed & bedstead, 1li. 5s.; parcell of flaxe & yarne, 1li.; one Linnen wheel, 4s.; one cradle & old caske, 10s.; one baskett, 18d., 1 old boxe, 3s., 2 chests, 12s., 1 table, 2s., 4 chairs, 3s., 1li. 1s. 6d.; a muskett & sword, 20s., 1 warming pan, 8s., 1li. 8s.; Pewter dishes & porringers, 24s., Latten ware, 4s., 1li. 8s.; 1 Brass kettle, 25s., 1 skillett, 2s., 1li. 7s.; tow iron potts & 1 small kettle, 18s., fire pan & tongs, 4s. 6d., trammel, 4s., 1li. 6s. 6d.; One spade, axe & how, 9s., 1 pr. bellowes, 18d., Lampe, 12d., 11s. 6d.; Earthen ware, 6s., 1 looking glass, 7s., 13s.; wooden ware, 6s., 11 Lines, 22s., 4 fishing leads, 4s., 1li. 12s.; woollen yarne, 3s.; frying pan & other utensils, 5s., his pt. nett & swing rope, 8s., 13s.; pt. hooks &

‡ Autograph.

George Booth dying intestate, administration upon the estate was granted to Alice, the relict, who brought in an inventory.* The estate being in debt nearly as much as the inventory amounted to, court ordered that it remain in her hands for the payment of said debts and the bringing up of the children.

Henry Collins of Lin presented an account of the charges and disbursements about repairing the bridge at Lynn.†

Lines, 3s. 7d., pt. of Barrell mackrill, 4s., hatchett — & gaffe, 18d., 8s. 1d.; to his pt. of fish merchantable & 2 qtls. refuse, 20li. 8s.; total, 95li. 2s. 7d. Dr. to severall men, 27li. 14s. 2d.; to Dr. Weld, 4li. 6s. 6d.

Henry Russell, aged forty years, and Jane Barnes, aged eighteen years, deposed that being with William Wooley on May 28 last in the evening in his last sickness, which was the night before he died, Wooley was conscious and said he desired said Russell to see that his debts were paid and that his wife had all his estate.

*Inventory of the estate of George Booth, taken June 26, 1682, by Edm. Batter† and John Hathorne:‡ Bedding, 5li.; pewter, 20s., 1 Iron pott, 12s., 1 bras kettle, 1li. 18s.; 1 old small brass pott & 2 pr. pott hooks, 5s.; 2 tramells, 1 pr. tongs, 1 fire shovell, 5s.; 1 hanging Cupboard & 1 Chest, 15s.; 1 salt box, 1 old grator & baskett, 1s.; 1 flesh hook, 1 Joyne stoole, old, 2s.; 1 pine Chest, 1 great Chaire, 8s.; 1 small chest drawers, 1li.; 1 wicker Baskett, 4 old chaires & 1 Cabinett, 8s.; 3 Cans, 1 box Iron & 2 heaters, 6s.; 1 table, 1 Cradle, 10s.; 1 old Tuck & a Rapier, 6s.; a parcell of Toolles, 2li. 10s.; pr. wooden scales, 2s.; bed cordes, new, 5s.; 1 old Bridle, very old, 1s.; Clothes for his owne wareing, 2li.; timber, 5s., 1 bench, 5s., 10s.; total, 16li. 12s. Debts due from the estate: to Capt. Jno. Corwine, 4li. 14s. 5d.; Edm. Batter, 2li. 15s. 8d.; Mr. Ed. Norrice, 2li.; total, 9li. 10s. 1d.

†Due to Henry Collins for 22 dayes work, Thomas Brown, sr., for 17 days, Thomas Brewer, 10, Edward Baker, 18, Benjamin Collins, 1, John Moore, 6, Samuel Moore, 7, Joseph Hitchins, 2, William Basset, sr., 3, William Basset, jr., 1, Daniel Gott, 1, John Newhall, jr., 14, Richard Hood, 1, Ephraim Silsbey, 1, Samll. Stocker, 3, Thom. Lewis, 1, Joseph Mansfeild, 1, Nath. Ingolls, 2, John Ingolls, 2, John Diven, 2, John Sibborns, 3, John Newhal, tertius, 3, Robt. Burgis, 4, Aquil. Ramsdel, 3, John Burrill, jr., 1.; total, 119 dayes work; to the seven men, each a day in work & oversight at ye bridge.

Work done by hands and teams employed by Hen. Collins at the County bridge in Lyn : By John Moor, 2 dayes with

‡ Autograph.

COURT HELD AT SALEM, AUG. 2, 1682, BY ADJOURNMENT.

The Hond. Major Genrll. Denison paid Mr. King 10s., for a fine received from John Kemball.

John Yell and Benedict Pulcifer, bound to answer for stealing money and other things and running away, were sentenced to be whipped or pay a fine and were to pay treble damages, the whole amount, 12li. 10s. 2d., to be paid to Nathaniel Tredwell, who was to pay the others. Yell, not paying his fine, was whipped.*

6 oxen and 2 hands, 1li. 2s.; John Moor, 1 day with 4 oxen and 1 hand, 6s. 6d; Qu'm^r Bassetts boat hired 2 dayes, 12s.; Sergt. Newhall in falling and hewing two peices of timber to lay from Arch to Arch over the water course, And one dayes work with his own hand, 1li. 2s. 6d.; Eben Stocker, for six oxen 4 dayes and 2 hands 4 dayes, 2li. 4s.; Eben Stocker, for 6 oxen 2 dayes and 1 hand 2 dayes, 17s.; Eben Stocker, for 4 oxen 2 dayes and 1 hand 2 dayes, 13s.; Eben Stocker, for 18 trees out of his own Land, 6s.; Capt. Marshall, 4 oxen, 2 dayes and 1 hand 2 dayes, 13s.; Capt. Marshall, 6 oxen 2 dayes and 1 hand 3 dayes, 19s.; expended at Capt. Marshalls upon workmen about ye bridge, 1li.; Richard George, 4 oxen 1 day and 2 hands 1 day, 9s.; Will. Miriam, 4 oxen 1 day and 1 hand 1 day, 6s. 6d.; John Edmonds, 4 oxen 1 day and 1 hand 1 day, 6s. 6d.; Thomas Brown, sr., 8 oxen 1 day and 3 hands 1 day, 15s. 6d.; Isac Ramsdell, 2 oxen 1 day and 1 hand 1 day, 4s. 6d.; Aquilla Ramsdell, 2 oxen 1 day and 1 hand 1 day, 4s. 6d.

The foregoing account, dated Lyn, June 29, 1682, was given in by Henry Collins,† who estimated that in order to make the bridge perfect and complete it would take 15li. more in work, teams and hands.

*Examination of John Yell and Benedict Pulcifer, jr., on July 13, 1682, before Daniel Denison:† "the begining of last week they agreed to run away with James Dunaway & that they did run away with him, & tooke a boat from Thomas Clerk & a sayle and oare from Robert Cross, the s^d yel tooke from his m^r Smith a coate & sheete besides his owne cloaths, Pulcifer took from his fathers house onely his owne cloaths, they left their boate & sayle at Yorke & went by land to black point, where they were taken by Andrew Birdsley & brought back to the great Island in Pascataquay, & upon the s^d Island James Dunaway made an escape but the 2 examimates came with Sam Tayler to Ipswich, further say that James Dunaway told them as they went out that he had money & at sea sayed he broke a

† Autograph.

little box at his M^r house & tooke out the money, and they knew but of therty shillings." John Yell and Benedict Pulcifer were bound to appear at Salem court in August, with Philip Fowler and James Chute as sureties.

Benedict Pulsifer, jr., aged about nineteen years, deposed that the same day that James Donyhor, John Youll and he ran away, the two former made themselves merry and said that Nathaniell Tredwell would pine at the loss of his money that they took. He saw Youll have part of the money and heard him say that they took 30s. Sworn, June 29, 1682, before Daniel Denison.*

Charges which Nathaniel Treadwell hath been out by reason of the three runaways, John Yell, Benedictus Pulsephar and James Donehor: For my going to ye Major General Denison to get a hue and cry, his writing it and my time, 2s.; For hireing a man to go with hue and cry to Salsbery, (who had a horse) mans and horses ferryage, 6s.; for my going to ye major againe for another hue and cry to send to ye Province of Maine, 1s.; for a man and horse carring the said hue and cry as far as black Poynt where the men were taken, before which were these charges following, First day ye said man rod as farr as Portsmouth in which Journey, for his Dinner and half a peck of oats at Newbery for necessary Refreshment, 1s. 3d.; Carr's ferry going over, 1s.; at hamton a quart of beer, two quarts of oats, 6d.; at Greenland, 2 quarts of oats, 3d.; at Portsmouth, for supper, lodging, horse provender, 1s. 8d.; second dayes Journey to wells, for ferries 3: going over, for victuals and provender for himself and horse, 5s.; The third day from Wells to Black poynt where he heard was ye Runawayes when at Wells, so got ye wells Constable to go to Black poynt to take them; and so did take them and Brought them homward as farr as Saco which dayes charges for Constable, and victuals, and two ferries passing forward and backward with ye said 3: Runawayes To be Brought as far as Sauco, 18s. 6d.; The fourth day in Returning homewards from Sauco to York with y^e said 3: Runawayes, the charges that day for victuals for y^e Runawayes and other things, 5s. 6d.; The fift dayes Journey homward from York to Hamton The charges that day for said man : 3 Runawayes their passing over ferries 3 : and victuals what was nescesarie, 11s.; The sixt dayes Journy from Hamton to Ipswich for Nescesary charges for 2: Runewayes (for one Brak loose at the Great Iland viz. in Pourtsmouth), 2s. 6d.; The Hired man and horse aboue said six dayes time in carrying said hue and cry doing as aboue said to get the sayd Runawayes, 11l. 1s.; total, 3li. 17s. 2d.

Nathaniel Treadwell* charged John Yeal, Benedictus Pulsephar and James Donehor with stealing from his house 37s. in

* Autograph.

Widow Mary Hamond, for frequently absenting herself from the public ordinances, was admonished.

Widow Mary Hamond, for speaking reproachful words against the worship of God in saying that going to hear the minister preach is the way to hell, was admonished and ordered to pay witness fees to Thomas Day.*

Nathaniell Somes, for absenting himself from the ordinances of God in public, was admonished.†

Thomas Parker, presented for fornication before marriage,

silver which they took from a box, also a broadax which he considered worth 7s. Owned in court.

Andrew Burly, aged about twenty-five years, testified that when he was at Black Poynt and took the runaways, he asked John Yeal what they did with the money and he said he had two shillings of it which he then gave to deponent. Owned in court.

Account allowed, July 10, 1682, by Samll. Wheelwright,‡ Justice of the Peace: at Wells $\frac{1}{2}$ pt. Rum, 1 qt. of beer, 6d.; 2 horses & 1 mare & pasteradge for these horses, 2 meels for 5 men, 1 man goeing to Blackpoynt which is 40 miles, and this man was a Constable in the business, 1li. 15s.; total, 1li. 15s. 6d.

*Gloucester presentment.

Thomas Day, aged about thirty years, deposed on Aug. 3, 1682, that "I being Chosen to the ofise of tithing man being informed the widoe hamans did hinder her dafter now she was Com hom to liue with her: she did hinder her from goeing to meting upon which I tock a ocation to goe to her house and I asked her the resen why she did hinder her dafter Mary from Coming to meting to which she said that when shee Came hom I tould her that she might goe to meting if shee wold but she should not haue my consent to which I replied you then wer as good say that shee should not goe: why Thomas said she you haue Childeren would you be willing to let them goe to hell if you could help it to which I said noe I wold doe what I cold to hinder them and then said I why is goeing to meting the way to hell yea said shee to goe to here your parson or prest or what you will Call him is the way to hell then said I it is not the way to hell to goe to John Pearces to her him and som tims he ses nothing noe said she." Sworn in court.

‡Also Abigail Somes. Summons, dated July 5, 1682, signed by Hilliard Veren,‡ cleric, and served by Anthony Benett,‡ constable of Gloster, by attachment of Nathaniel Somes' house.

‡ Autograph.

was fined. His wife, also presented but not appearing, was ordered to appear at the next Salem court.*

Mary Scamp, presented for fornication, was ordered to be whipped or pay a fine.†

Edmond Bridges, sr., of Salem dying intestate and court being informed that the estate is insolvent, administration was granted to Frances Nurse and John How, who were ordered to bring in an inventory to the next Salem court. They were further ordered to post up a notice to all creditors to bring in their accounts that a settlement might be made as far as the estate would allow.

Those persons who did not appear at this court when summoned were ordered to appear at the next Salem court.

Ruth Williams, for fornication with one Peter Goyte, was sentenced to be whipped or pay a fine.

William Seargent and Naomy his wife were presented for fornication before marriage, and their father William Seargeant appeared in their stead, the son having gone out of the country. He agreed to pay the fine of 7li.‡

Allester Greime, presented for drinking to excess on a Lord's day, was sentenced to be whipped or pay a fine. He submitted to the whipping.§

Jonathan Ager, for contempt of authority or for not obeying the magistrates on a Lord's day in taking away William King, was admonished.

Parnell Bartoll, relict and administratrix of the estate of John Bartoll, deceased, returned that there was an estate of only about 6li. 11s. 7d., which the court ordered to the widow

*Salem presentment.

†Gloster presentment. Wit: James Sare, John Row, John Bray and Thomas Day.

‡Gloster presentment. Wit: James Sare, John Row, John Bray and Thomas Day. Constable returned that William Sargent "is gone out of the Country."

§Hester Johnson and Mary Maber testified that they saw him in October last on a Sabbath day afternoon much gone in drink. Sworn in court.

Summons, dated July 10, 1682, signed by Hilliard Veren,|| cleric, and served by Constable Horne|| of Salem, who returned that he could not find him.

|| Autograph

for her own use that she might have some relief in her old age.

Edward Grover dying intestate, court appointed Nehemiah Grover, his son, administrator, who presented an inventory.*

Edmond Bridges, jr., dying intestate, and Elizabeth, the relict and administratrix of the estate presenting an inventory† of about 59li. clear estate, the court ordered to Edmond, their child, 29li. 10s. at age, the remainder to be in the widow's hands.

*Inventory of the estate of Edmand Grover, taken Aug. 2, 1682, by William Rayment‡ and Exercise Conant:‡ fether bed & bolster, 2li. 10s.; table & 2 chests, 18s.; an iron kittle, 6s.; total, 3li. 14s. Debts due from the estate, 4li. 10s.

†Inventory of the estate of Edmond Bridges, jr., who deceased June 24, 1682, taken July 31, 1682, by Jeremiah Neale‡ and Tho. Mould:‡ a peice of land given him upon marriage with Elizabeth, daughter of Richard Croade, being one-half part of that land which his father Edmond Bridges bought of Mr. Philip Cromwell in Salem lyeing between ye land of Richard Flinder and John Beckett & also ye one-half of ye wharfe there and privileges as per deed of gift under his father Edmond Bridges hand dated Apr. 2, 1681, 25li.; his wearing apparrell, 4li.; a cupboard, 3li.; a Table, 1li.; 8 chaires, 12s.; a small Table, 2s.; a bedsteed and Curtaine rods, 10s.; 1 Bolster, 5s.; 2 Ruggs, 1li.; 1 chest, 8s. 8d.; 1 Trunke, 8s. 8d.; 1 fire pan and Tongs, 5s. 8d.; 1 paire of Andirons, 12d.; 1 pr. Bellowes, 14d.; 1 Brass skillett, 6s. 8d.; 2 Iron potts & pott hookes & hake, 18s.; 1 chaffen dish & a small skimmer & a small grid Iron, 3s.; a paire of Curtains & vallens, 2li. 10s.; 3 paire of sheetes, 3li.; 1 sheete, 15s.; a pr. of pillowbeers, 5s.; 2 small Table clothes, 5s.; 1 diaper Table cloth, 10s.; 3 diaper napkins, 3s.; 1 pr. sheets & 2 pr. pillowbeers, 1li. 4s.; 1 Table cloth and 6 napkins, 7s.; 1 small Towell, 6d.; p pewter ware, 2li. 5s. 6d.; 1 candlesticke & a small skillett, 1s.; earthen ware, 6s.; 1 smoothing Iron & heaters, 3s.; Tinn ware, 5s.; 1 warming pan, 10s.; 1 Looking glass, 12s.; 1 pillion & pillion cloth, 12s.; 1 gun, 18s.; a young cow about 3 yeares of age, 2li.; 1 swine, 10s.; 1 grey young mare, 1li. 5s.; 1 old mare & colt in ye woods, 1li.; 1 Cutt Lase, 5s.; 3 cushens at 18d. ps., 1 cradle, 5s. 8d., 9s. 6d.; 3 pillowes, 10s.; 1 feather bed & bolster & Blankett, 3li. 10s.; 2 small Trunks, 3s. 6d.; 1 shoulder Belt with Bandeleers, 1s. 6d.; 1 spinning wheele, 2s.; 1 carpett, 10s.; 1 Basket, 10d.; total, 62li. 11s. 6d. As a debt due to ye estate for a howse &c. wch by engagement before marriage his father Edmond Bridges was to Build for him on ye Land before mentioned given him as p ye said writing bearing date ye 2 Aprill 82 apeares for wch ye

‡ Autograph.

Widow Hanna Ward brought in an inventory* of goods left at her house by Richard Norman, who had expressed himself as desirous of giving them to his cousin Hanah Balden if he should die, and he having died this last voyage at sea, Hanna Ward and Mary Pease testified concerning his disposal of his estate in this manner.

Administration upon the estate of Edmond Bridges, jr., was granted on July 14, 1682, by the Worshipful William Browne and Bartholomew Gedney, to Elizabeth, his relict, who was ordered to present an inventory to the next Salem court.

Administration upon the estate of Mr. Joseph Grafton, deceased, was granted July 21, 1682, by the Worshipful William Browne and Bartholomew Gedney, to Mr. John Gardner, sr., and Mr. John Grafton, sr., who were bound with Mr. Samuell Gardner, jr., as surety, to bring in an inventory to the next Salem court.

Administration upon the estate of Richard Hutchenson was granted on Aug. 25, 1682, by the Worshipful William Browne and Bartholomew Gedney, to Sara, the relict, and Nathaniell Putnam, who were ordered to bring in an inventory to the next Salem court.

Administration upon the estate of Mr. Thomas Gardner, was granted on Oct. 25, 1682, by the Worshipful William Browne and Bartholomew Gedney, to Elizabeth, the widow, and his son Mr. Thomas Gardner, who were ordered to bring in an inventory to the next Salem court.

vallue is left to ye honored Court to determine; debts to be paid from the estat, 3li. 10s.

*Inventory of the estate of Richard Norman, left in the possession of Hannah Ward: one great Chest, one small Box, one small Table, two Chaires, one paire of Corse holland sheates, one paire of pillow beares of ye same, thre towels & one ould Course sheate, a suite of streped Courtaines & Vallients, one puter platter & bason, one fire shovell and Tongs.

Hannah Ward, aged about thirty-four years, and Mary Pees, aged about thirty-five years, deposed as to what Norman said before he went on the last voyage. His brother had demanded the goods when he was on a previous voyage, etc. Sworn in court.

List of presentments signed by Nathanell Putnam,† for the rest of the grand jury:

† Autograph.

Ruth Duncan of Gloster, for fornication. Wit: James Sare John How, John Bray and Thomas Day.

John Day of Gloster and Abigall his wife, for fornication before marriage. Wit: William Griggs, Thomas Day and Anthony Day.

The towns of Rowley and Topsfield, for a defective bridge upon the public roadway from Andever to Salem over the river commonly called Ipswich river. Wit: John Osgood, John Stevens, John Nickolls and Phillip Knight.

The town of Rowley, for a defective highway between Salem and Andever on the north side of Ipswich river over a brook called Stonne brook, also the causeway defective by Ipswich river. Wit: John Osgood, Lt. John Stevens.

Hillen Chargd of Salem and Hanna his wife, for fornication before marriage. Wit: Salem grand jury.

Ralph Eares of Salem, for living from his wife several years contrary to law. Wit: Christopher Babbidge and John Loomes.

Ebbeneser Gardner of Salem and Sarah his wife, for fornication before marriage.

Benjamin Jones,* administrator, acquainted the court, June 27, 1682, of a debt due from the widow Mary Joanes, deceased, of 1li. 15s. 1d. He laid out upon his mother Mary Jones a diet and attendance before her death and in a coffin and charge for her burial, 4li. 9s. 7d.; for two days' work going to Ipswich to carry in the inventory, 4s.; for a cow due to Thomas Howard from his mother, 3li. 10s.; total, 9li. 18s. 8d.

Bangemen Jones'* petition to the Salem court: that his fine be remitted for abusing his apprentice, as he had never offered the least wrong to the boy; that he had the boy almost two years, maintaining him, and received no benefit. He asked for an allowance for maintenance. "I pray Conceder my pouerty I am uary low in the world and know not How to pay the twanty shilins."

Peter Duncan's* petition to the Salem court, dated Gloucester, Aug. 1, 1682, concerning his daughter Ruth's not appearing upon her presentment, and her physical condition, which was so serious that many thought she would never be well again. Mr. Gregges explained her complaints and told him if she could have all Salem she could not endure the journey. Mr. Rogers also told him that she had trouble that could not be cured. Petitioner's wife told him of other symptoms.

William Greg* certified at Gloucester, July 31, 1682, that Mr. Duncan's daughter Ruth was not able to go to Salem, etc.

Warrant, dated May 30, 1681, for the appearance of one James Burne, "who liveth at the farmes," for profaning the Sabbath and drinking, also summons to Nathaniell Putnam,

* Autograph.

COURT HELD AT IPSWICH, SEPT. 26, 1682

Judges: Capt. Nath. Saltonstall, Esq., Bartholomew Gedney, Esq., Major Samuel Appleton, Esq. and Major Robert Pyke, Esq.

sr., and Joshua Ray, sr., and to Peeter Twist and Priscilla Vinton for fornication, signed by Hilliard Veren,* cleric, and served by Thos. Haynes,* constable of Salem farms, who returned that "those persons which you have heer mentioned are not within the town of Salem only the witnesses."

Venire, dated May 23, 1682, for Wenham, signed by Hilliard Veren,* cleric, and served by Henery Haget,* constable of Wenham, who returned the name of John Edwards for the jury of trials.

Venire, dated May 23, 1682, for Gloster, signed by Hilliard Veren,* cleric, and served by Thomas Riggs,* constable of Gloster, who returned the names of William Grigs for the grand jury and John Fitch for the jury of trials; also he did not summon Abigall Somes, for she was not in their town.

Venire, dated May 23, 1682, for Lynn, signed by Hilliard Veren,* cleric, and served by John Moare,* constable of Lynn, who returned the names of Ensign John Fuller, Cornet John Leues, Corp. John Newhall and Daneull Nedham for the jury of trials.

Summons, dated Aug. 1, 1682, for the appearance of Sarah, wife of Mr. Ebenezer Gardner, for fornication before marriage, signed by Hilliard Veren,* cleric, and served by Jonathan Ager,* constable of Salem, who returned that he had been to Mistress Hannah Swinerton's and inquired for Mistress Sarah Gardner and of her welfare, and Mistress Swinerton told him that her sister was very sick and had been since the child was born.

Summons, dated July 10, 1682, to Hellen Chard and wife Hanna, Ralf Ayres and Thomas Packer and his now wife, signed by Hilliard Veren,* cleric, and served by Constable Horne* of Salem.

Venire, dated May 23, 1682, for Salem, also summons to James Burne, "who liueth among Salem farmes," to Peeter Twist and Priscilla Vinton, "it is said they liue about the farmes," and to Allester Greime, signed by Hilliard Veren,* cleric, and served by Jeremiah Rogers,* constable of Salem, who returned that neither the constable at the farms nor he could find them. John Hathorne* returned the names of Mr. Timothy Lindall, Mr. Rob. Kitching, Mr. Edw. Flint, Mr. Thomas Flint, carpenter, Mr. Richard Pritharch, Mr. Benja. Pickman and Mr. Thomas Beadle for the jury of trials.

* Autograph.

Grand jury: Daniel Hovey, sr., Wm. Story, sr., John Denison, Edward Bragg, Mr. Thomas Noyes, Samuell Poore, John Harris, Wm. Foster, Tho. Dorman, Daniell Poore, Thomas Eaton, Richard Hubbard, John Weed and Richard Hall.

Jury of trials: Mr. Daniell Epps, Nicholas Walles, John Newmarsh, sr., John Starkwether, Joseph Browne, Sergt. Tristram Coffin, Joseph Pike, Thomas Wood, John Grant, Wm. Smith, Joseph True and John Hartshorne.

Thomas Piney and Joane, his wife, late wife to Richard Brabroke v. John Burnam, son of Ens. Tho. Burnam. Writ of dowry. Withdrawn.*

Phillip Fowler, attorney for Steeppen Crose v. John Lee. Forfeiture of an obligation of arbitration. Verdict for plaintiff. Defendant appealed but later let it fall and asked to have the bond chancered, to which the plaintiff agreed. Court chancered the bond to 6li. 15s.

John Parle v. Samuell Morgan. For withholding 8li. Withdrawn.

John Harris v. Roger Marks. Debt. Nonsuited.

William Ossgood v. Mary Challis, administratrix of the estate of Philip Challis, Susan Whitrige, administratrix of the estate of Anthony Colbye, Elizabeth Worster, administratrix of the estate of Samuell Worster, and Wm. Barnes. Verdict for plaintiff. Ossgood having paid the whole, the others were to pay their proportions as follows: Wm. Barnes, 4,500 merchantable boards and 17s. 11d. money; Susanah Whitrige, 2,250 boards and 8s. 11d. money; the widow Woaster from her hus-

*Writ: Jno. Piny and Joanne, his wife, late wife of Richard Brabrook v. John Burnam, son of Ens. Tho. Burnam; in a writ of dowry, for not setting out her third part of six acres of marsh which belonged to her late husband; dated Sept. 11, 1682; signed by Robert Lord,† for the court and town of Ipswich; and served by Robert Lord, jr.,† deputy to Robert Lord,† marshal of Ipswich.

John Doney, aged about forty years, and his wife, aged about thirty years, testified that about the middle of last August Goodman Penney and his wife desired them to go down into the marsh in Brabrooke's farm, which as they said was sold to Mr. Cromwell by Goodman Brabrooke. They went and heard them demand the six acres of John Burnam, jr., and he refused it.

† Autograph.

band's estate, 2,250 boards and 8s. 11 1-2d money; widow Mary Challis from her husband's estate, 4,500 boards and 17s. 11d. money.*

*Writ, dated 18 : 7 : 1682, signed by Richard Curier,† for the court and town of Emsbery, and served by Samuel Colby,‡ constable of Amsbury, who attached land of Susana Whittredge adjoining Bare hill, the dwelling house and orchard of Willem Barns and the dwelling house and orchard of Mary Challis. John Tennie,† constable of Bradford, attached land of Mrs. Wosester's beyond Bare hill meadow.

Wm. Osgood, sr.'s, bill of cost, 3li. 16s.

Letter of attorney, dated Sept. 23, 1682, from William Barns,‡ Mary (her mark) Chalice§ and Susana Whitterredg‡ to Isak Colby of Rowly. Wit: Samuel Colby† and Rob Ring.† Acknowledged Sept. 23, 1682, before Robt. Pike,† assistant.

Copy of appointment of defendants as administrators made by Robert Lord,† recorder.

Copy of the appointment of Susanna, widow of Anthony Colby of Salisbury, as administratrix of his estate, at Salisbury court, Apr. 9, 1661. Copy made by Tho. Bradbury,† recorder.

Ephraim Winsley's† receipt, dated Sept. 24, 1682, to William Osgood for 3li. 14s. in money and 8,000 pine boards, he being attorney for the town of Salisbury.

John Pressy, aged about forty-four years, testified that the first summer he came into this country, in 1651, having leave of his master to see things in the country, "among the Rest I do well remember that the saw mill at Salsbury was on thing that was accountped a rare thing: & I did go to see it: & I did see it going & sawing bords that very somer." Sworn Sept. 21, 1682, before Robt. Pike,† assistant.

Robert Ring and John Osgood testified that a considerable part of what this mill had cut was plank, for the past twenty years. Sworn in court.

Nathan Gold, aged about sixty-four years, testified that in Sept., 1652, he came into this country and town and the saw mill at Salsbury was then built and going. It had been running that summer as appeared by the heap of boards there, some of which deponent had to build his shop. Folks told him that it sawed the plank for Mr. Graves' vessel that had gone and which deponent saw at Boston. Sworn Sept. 23, 1682, before Robt. Pike,† assistant.

Richard Currier, aged about sixty-six years, testified that he keeps a saw mill at Amsbery near the saw mill that belongs to Solsbury and upon the same river and has sawed the past spring about five or six thousand feet of boards a week for three months

† Autograph.

‡ Autograph and seal.

§ Seal.

John Downeing v. John Burnam. For mowing and carrying away his grass. Verdict for plaintiff.*

John Lee v. Samuel Stocker. The attachment was read at the trial, but afterward the clerk lost or mislaid it so that the jury could not have it committed to them and the action did of necessity fall. In open court Lee agreed that if the clerk would pay him 10s. in money for the 10s. for the entry, he would be satisfied. Court ordered the clerk to pay it out of his own estate and not from the court dues.

William Hodgkins, sr., acknowledged judgment in fish to Samuell Bishop.

Joseph Giddings was fined for not appearing to serve on the jury of trials.

Samuell Lomas, presented for slanderous speeches against Deacon Goodhue, was admonished.†

Mr. Samuell Rogers, presented for excessive drinking, was fined.‡

Elizabeth Smith, for fornication, was ordered to be whipped at the court in March unless she paid 40s.

together. The Solsbury mill is in no wise inferior to that at Amesbury and had been as much improved. The mills sawed about four months but had not a full head of water. Sworn, Sept. 25, 1682, before Robt. Pike,§ assistant.

Copy of papers in the action Winsley v. Osgood, at Ipswich court in March, 1682, made by Robert Lord§ and Tho. Bradbury.§

*Writ: John Downeing v. John Burnam; for mowing and carrying away his grass below the island called Brabrook's island and a hummock of rocks; dated Sept. 21, 1682; signed by Robert Lord,§ for the court and town of Ipswich; and served by Robert Lord, jr.,§ deputy for Robert Lord,§ marshal of Ipswich.

Robert Lord, sr., and Thomas Lovell, sr., deposed that they helped run the line straight from a block stub over a hummock of rocks where there was a stake to a creek near Chabacko river between the land that was Braubrook's and broken marsh. Sworn in court.

†Wit: Captain Fiske, widow White and Goodman Bridges. Samuell Lomas' bill of cost, Thomas Knowlton and Nath. Rust mentioned, 9s.

‡Wit: Jacob Foster and Joseph Browne.

§ Autograph.



Sarah Davis of Haverhill, presented for fornication, confessed and charged Nath. Ayers, jr., who was present, with being the father of the child. She was sentenced to be whipped or pay 50s.

John Appleton, Daniell Warner, jr., John Warner, John Dane, Thomas Borman, Joseph Fellows, Sam. Ingalls, Wm. Goodhue, jr., and Thomas Low took the freeman's oath.

Thomas Marshall, jr., dying intestate, court appointed Ann, the relict, administratrix of his estate, who was ordered to bring in an inventory to the next Ipswich court.*

John Safferns dying intestate, court appointed Henry Bennett administrator of the estate, and he presented an inventory amounting to 4li. 13s.

Joseph Gatchell and his sureties forfeited their bond for appearance.†

*Deed, dated Nov. 27, 1673, from Richard Lee§ of Ipswich, husbandman, and wife Sarah (her mark) Lee, to Edmond Marshall of Ipswich, ship carpenter, for 11li., 4 1-2 acres of upland, it being part of his farm in Chebacco, beginning with a stump "standing upon a greate Rock about foure or five rodd to the North of a Saw pitt thence runninge fifty nine rodd to the South west in the bounds of Ipswich aforesaid;" if said Marshall sold it, the grantor or his heirs should have the first refusal of it. Wit: Joseph Leigh,† James King† and John Giddinge.‡ Acknowledged Dec. 13, 1676, before Samuel Symonds,‡ Dep. Gov. Edmond Marshall‡ appointed his brother Wells to act as his attorney in this matter. Wit: Richard Lee.‡ Edmond Marshall§ and Martha (her mark) Marshall assigned this land, Dec. 13, 1676, to Thomas Marshall. Wit: Richard Lee‡ and John (his mark) Wooden. Acknowledged Dec. 13, 1676, before Samuel Symonds,‡ Dep. Gov. Recorded May 3, 1680, among the records of lands for Essex, liber 4, page 328, by Robert Lord,‡ recorder.

Edmond Marshall, aged about thirty-four years, testified that he sold the land, etc. Sworn, Sept. 25, 1682, before Robt. Pike,‡ assistant.

Richard Lee, aged about thirty-eight years, testified that Edmond Marshall assigned the deed to Thomas Marshall, jr. Sworn in court.

†Joseph Gatchell, complained of Aug. 20, 1682, for abusing the watch at Marblehead in striking, threatening and miscalling Robert Sweet and Thomas Weymouth, who were the watch,

‡ Autograph.

§ Autograph and seal.

John Allen explained why he did not prosecute his appeal at

was bound for his appearance at the next court, with Richard Knott and John Getchell as sureties. Copy made by B. Gedney.†

Samuell Gatsshell,† aged forty years, testified Aug. 18, 1682, that "one Wednesday nighte Last my father my brother Joseph and my selfe were talkeing In our own house & wee allwayes spake Lowde because my father Is harde of heareing: and there Came Thomas waieman & Robert Sweete Into our yard and harkened a while and then the sayd Waieman being under our window saide what doe you keepe such a boleing for pout oute yo^r Lightes: my brother Joseph went to y^e doore and saide who are you: and they saide wee are the watch: & hee saide you may goe aboute yo^r busnes Into the Kings high way: & they saide they would not but y^e would Cary hem wth them and hee saide they were Rogues and not y^e watch: and hee tooke a Lighte and opend the geate and bid them begon: and when they Come to the geate the sd Thom: Waymon Laid holde of the s^d Joseph and struck hem with Cut Lash." Sworn by Samuell Gatchell and John Gatchell, the father, before Moses Mavericke,† commissioner.

Thomas Waymouth testified that he was on the watch one Wednesday night and heard a great noise at old John Gatchell's house about one o'clock in the morning. When he demanded that they put out the light, Joseph Gatchell said "You are Roags, you are Robbers, you are hiewaymen, guie mee a light, giue mee my Caane I will breake the heads off the Rogues, I will driue them out of the yarde." He pushed the watch seueral times until he was out at the gate and then said Gatchell called for his pistol, saying he would pistol the rogues. He struck deponent on the head and shoulders with his cane, making his head swell, it being with the great end of his cane which had an iron or steel head. About two hours before, they had found Samuell and Joseph Gatchell with several others at William Neck's house and warned every man to his lodging. Sworn Aug. 20, 1682, before Bartho. Gedney,† assistant.

Robert Sweet testified to the same, he being one of the watch. Sworn Aug. 20, 1682, before Bartho. Gedney,† assistant.

Thomas Candish, constable of Marblehead, testified that Waymouth and Sweet were the watch for that night and after, the disturbance deponent went to old John Gatchell's house at the request of the watch. Joseph Gatchell struck several times at the constable's staff, and called him fool, with many other reproachful words. Sworn Aug. 20, 1682, before Bartho. Gedney,† assistant.

† Autograph.

the last Court of Assistants against James Browne, and his fine was remitted.*

Upon approbation of the selectmen of Newbury, John March was licensed to keep an ordinary in Newbury and also to draw wine and liquors for a year.†

*Jno. Allin's petition: that he had an action against James Browne of Newbury at the last Salem court, when the verdict was against him. He appealed to the next Court of Assistants and "hauing occasion to goe to sea and hoping to a ben att home to a answered y^e sd action my selfe butt was hindred by y^e pvidence of god by hard weather. I came home butt two dayes to late to answer y^e sd action my selfe butt I did leaue an attorney to act in my place and haueing liberty to make an attorney but my sd. attorney being hindred by y^e pvidence of god to goe his selfe to answer y^e action as I am informed did take out y^e case and carried y^e reasons of apeale according to law and made an attorney to psecute my action butt it so fell out y^e my action was not entred wherby not only y^e loss of my action and bond to y^e pty concerned butt the forty shillings to y^e County I am liable to pay which I doe humbly craue this Honrd Court to be pleased to remitt upon y^e granting me leaue what I haue farther to declare in y^e case to y^r Worships."

Letter of attorney, dated July 24, 1682, given by John Allin§ of Salsbury, mariner, being bound upon a voyage to sea, to Ephraim Winsley, in his action against James Browne, also against Henry True, Henry Brown, Nathanel Brown and Mr. Ring of Salsbury, in which he and Philip Grely were to prosecute, or any other suits which his wife or friends should order. Wit: Robert Pike† and Sarah (her mark) Red. Acknowledged July 25, 1682, before Robt. Pike,† assistant.

Letter of attorney, dated Sept. 2, 1682, given by Ephraim Winsley,§ "by reson of a more then ordinary hand of pvidence disinabling me from going to boston that next week," to Hugh March, sr., of Newbury. Wit: William Carr† and Sarah (her mark) Reade. Acknowledged before Robt. Pike,† assistant.

†Approbation of the selectmen of Newbury, Nathll. Clarke,† Francis Brown,† John Bartlet, sr., James Ordway, sr.,† and Joseph Bayley,† Mar. 18, 1682, for Jno. March to keep an ordinary in Newbury as formerly.

Petition to the court, Sept. 26, 1682, by Nathll. Clarke,† James Ordway, sr.,† and John Bartlet,† selectmen of Newbury, for a license for Jno. March to keep a house of entertainment as formerly.

Petition, dated Mar. 31, 1682, "whereas the Selectmen of y^e

† Autograph.

§ Autograph and seal.

towne of Newbury haue as wee understand upon serious Consideration of y^e Conueniency of the place y^t John March would sett upon keepinge of y^e ordinery and y^e sutteblnes of y^e person for y^t end hath giuen under theyer hand theyer approbation of y^e thinge acordinge to law, yett understandinge y^t there is some obstruction y^e thinge beinge not yett granted as wee understand, wee whose Names are underwrighten doe humbly request y^t your honours would bee plesed to grant y^e said John march a lisenice for his keepinge of y^e ordinery. Consideringe not only the Conueiency but the nesesity of y^e towne of Newbury and neighbouring townes hauinge an ordinery in y^e place y^t John March is now in, in regard of shiping & other ocashons of much busnis neare y^t place so shall wee bee obliged to pray for your prosperity & remaine youre humbell Sarvants," Anthony Somerby,* Stephen Grenlefe, sr.,* Daniel Lunt,* Henry Lunt,* Willm. Noyes,* Joshua Moss,* Thomas Noyes,* James Smith,* Benjamin Rolfe,* John Badger,* John Kally,* Caleb Moody,* Jno. Dole,* Stephen Greenlef, jr.,* Joseph Mayo,* Jonathan Woodman,* Peter Godffree,* Edmond Marshall,* Benja. Lowle,* John Davice,* Edward Richison, sr.,* Joshua Richardson,* Wm. Chandler,* Aquila Chase,* Richard Dole,* Samuell Plumer,* Siluanus Plumer,* Ephraim Plumer,* Rich. Dole, jr.,* Joseph Plumer,* John Knight,* Thomas Hale,* Georg Little* and John Atkinson.*

Petition of Hugh March* of Newbury, Sept. 26, 1682: "whereas the Towne of Newbury being destitute of an ordenary for neere two years, being fined twice and likely to be fined the third time & could find no man that would undertake it, diuers of the most considerable men of the towne applyed them selves to me to keep the ordenary, at w^{ch} time I had no need of it, or inclination to it, being well seted upon a farme of my owne, w^{ch} was sufficient to maintaine me, but by y^e often perswasions & solicitations of those men I was willing pvided I might haue the fre consent of the Towne & the apbation of the Court: which I had fully & frely in a publick towne meeting by way of voat, and by this court free acceptation; which moved me to purchase at a deere rate that place which was the antient place of an Ordenary, w^{ch} being out of repaire, caused me to disburse great sums of money in repairing the old & building new, to fitt it for the towne & Countrys benefit w^{ch} caused me to sell one good farme & wholly to leave my farme that I lived upon. The ordenary was by me kept about 12 y^s & no man had just reason to complaine for want of any thing that was convenient nor did y^t euer I heard. Besides the Law saith page —, that no man shall loose his licens befor he be convicted of som breach of law, which I never was. Altho I put the ordenary out of myn hands

* Autograph.

License was granted to Ezekiell Woodman to keep ordinary at Wenham for a year.

Upon approbation of the selectmen of Ipswich, Mighill Farley was licensed as a retailer of wine and strong liquors for a year.*

Phillip Rowell was licensed to keep ordinary in Amsbury for a year.

Daniell Clark of Topsfield had his license renewed for a year.

Ralph Farnam, jr., charged with being the father of Elizabeth Gould's child, was discharged, there being no evidence that she charged him with it. Several testified that she denied it and said she did not know who the father was.†

for a time, yet it was for my livelyhood and that I might live by it as an ordenary.

"It hath bene the usuall Custom of Courts & Townes to put antient p^rsons into such places & callings, to be a help to them, rather then to turne them out after all their cost to y^r undooing & y^t because the present selectmen do not give y^r approbation under their hands, I had not only the aprobation of the selectmen but of the Towne also, & of this Honoured Court for 12 y^rs together, & therfor hope y^t this Honord Court will consider my case and not to suffer any man to bee undone by the by & self ends of any selectmen for if so the County will scarsly ever be well puided for with an ordenary to content w^{ch} will be a disgrace to the country in other places in the world, for who will lay out such an estate to keep an ordenary to be at y^e mercy of the next new select men whether he shall hold it above one yeare or no. This honoured Court having in some measure understood how I comitted my estate to my sone & the way that he hath had to deprive me of my licens & like wise of my estate w^{ch} I am deeply sensible of my affliction being further aggravated by his execution granted from y^e Honord Court of Assistants w^{ch} I presume your honours ar not unsensible of: he having little mercy on his father, I hope you the fathers of the land will have more mercy upon me in Granting y^e poore petitioner his license for the ordenary as formerly, w^{ch} (under Correction) I conceive is but a rationall request either to myself or som other person y^t may be put in so that I may have the benefit of that my estate in y^t way as formerly."

*Approbation of Thomas Burnam, sr.,† Tho. Lovell, sr.,† John Dane, sr.,† and Simon Stace,† selectmen of Ipswich, Sept. 28, 1682, for Micaell Farloe, sr., of Ipswich to be the retailer of wine or strong liquor in the town.

†Andrew Allen, aged about sixty-six years, deposed that

† Autograph.

having heard of Elizabeth Gold's condition and he being at work one day, Elizabeth's master Andrew Foster, sr., came to deponent's house and he told him he was sorry to hear of what had happened in his family. About three days after, the old man came again to his house and told him privately that Ralph Farnums was the father of the child, as she said. Foster's son Abraham desired him to go to Farnums and ask him if he would own it. Toward evening deponent went to Foster's to speak to the maid first and they called her into the room where "they kept" and she confessed. Deponent heard Hester, wife of Abraham Foster, say that her father-in-law detected the trouble before they sent said maid to Chelmsford. Sworn June 16, 1682, before Daniel Denison.*

Elizabeth Allen, aged about eighteen years, testified that Elizabeth Gold told her that Ralph Farnum was not the father and she did not know who was, but that Deacon Frie had spoken to him about it and Farnum did not deny it, and she would have him as sure as his name was Ralph. Deponent heard her say at her mother's house, etc. Sworn June 16, 1682, before Daniel Denison.*

Joseph Barrett, aged about thirty-two years, testified that sometime in November last, being at the house of Samuel Foster, sr., of Chelmsford, Abraham Foster, son-in-law of said Samuel, desired him to take Elizabeth Gold into his house and if she proved chargeable he would satisfy him for all expense. Deponent asked as to her condition and hesitated about taking her. Last spring deponent came with some others to Andover and going to Abraham Foster's house told him privately that Elizabeth charged him with being the father. He did not deny it, but stood pale and trembling for nearly a quarter of an hour and said he would not answer until he had spoken with Betty. Deponent told him he was going to the selectmen to have a place provided for her, her apprenticeship being out, and Foster said they would not do it, but he had provided a place at Hugh Stone's. They went there, but Stone refused to receive her. Sworn in court.

Bridgit Chandler, aged about forty years, testified she was asked to determine as to Elizabeth's condition, so she went to the house of Andrew Foster, sr., etc. Deponent's sister Allen desired to come into the room, but Elizabeth would not allow her, etc. Sworn June 16, 1682, before Daniel Denison.*

Susanna Ossgood, aged about thirty years, testified that she told Elizabeth that her sin was aggravated by her not telling who was the father and asked her how she could clear John Allen, etc. Sworn June 16, 1682, before Daniel Denison.*

Dudley Bradstreet,* aged about thirty-three years, testified

* Autograph.

Nath. Ayer, jr., charged by Sarah Davis with being the father of her child, was ordered to pay in suitable provisions and clothing 2s. 6d. per week to the mother toward the maintenance of said child. He was to be bound or committed to prison. He gave bonds, with Stephen Webster and John Hartshorn as sureties.

Walter Fairefield's license not being renewed, upon his petition that he be allowed to retail what he had already in his house for public use, court granted it, provided that it be drawn off before the next Ipswich court.*

that Ralph Farnum, sr., told him that his son Ralph had so solemnly denied it that he could not believe him guilty. Later he questioned Elizabeth and from what passed between them he was convinced that she lied notoriously.

Faith Allen, aged about sixty years, deposed that she chided Elizabeth for what she had done, etc. Deponent's sister Chandler, etc. Sworn June 16, 1682, before Daniel Denison.†

*Petition, dated Wenham, Mar. 22, 1682, of Ezekiel Woodward:† "I being at an uncertainty about my inioyment of my dwelling house: by reason of a controvercy betweene Isaac Hull and myselfe, and other disquietments: by reason where of: doubting of my capacity to doe y^e country seruise in the place of an ordinary: I did not renew my Licence the last yeare: but since the Honoured Courts Committy hath settled y^e matter betweene us, and that I doe inioy the house: my humble request to this Honnoured Court is: that I may keepe a house for publique entertainment for the selling of beere, sider and prouition in as much as I am disinated by my labour, by means of much harme I got at the fire last at Boston: so that I am attended with the goute and other pains; I hope this Honoured Court will be pleased to consider me that so I may haue an oppertunity to releiue my family and pay my debts."

"Walter Fairefield was chosen at a Generall towne meeting 3^d of January 1680 to keep the ordinary or howse of publick entertainment." Copy from the town book by Thos. Fiske,† recorder.

"At a meeting of the Select men of wenham 27th of 1 mo: 1682 Ezeckle Woodward Requesting our Approbation for his keeping a howse of publike entertainment to sell Beere sider & prouisions for horses & men & pleading of his inability of body (By Reason of Some Lameness) to follow his Caling For seuerall Reasons moueing us there unto we thinke it fitt to Grante his Request, the Hon^d Court Consenting thereunto. Tho^s Fiske,† By order of the Select men."

† Autograph.

Petition of Walter Fayerfeld:* that he had license the last March to keep the ordinary until now and his wine and liquor being all sold four or five months since, he was obliged to buy both wine and liquor which he requested license to sell until used up, etc.

Copy of the record of Ipswich court, Mar. 29, 1681, when Walter Fairefield was licensed.

Nicholas Meade's* receipt, dated May 5, 1682, to Mr. Walter Fairfeild for 2li.

Approbation, dated Sept. 26, 1682, of John Fiske,* Thomas Fiske,* Charles Gott,* John Batcheler* and Thomas Patch,* selectmen of Wenham, for Ezekiel Woodward to keep an ordinary.

Goodwife Woodward testified that Walter Fairefield persuaded her husband to let him have the ordinary for one year and then if her husband wished to take it again, he would give his consent. Goodwife Fairefeld told her that they desired it only for one year until her house were finished, because they could not get it completed unless he could keep the ordinary. Sworn in court.

Samuell Abye, aged about thirty-four years, testified that being a tithingman the past year he had been at Fayerfeld's house several times, going to see what kind of order was kept there, and had found it orderly as far as he could see.

James Moulton, aged about forty-six years, testified that he was a tithingman, etc. Sworn in court.

Richard Hutten, aged about sixty years, testified that he was at the house of Ezeckle Woodward, etc. Sworn in court.

William Fiske, aged about forty years, testified that several months before Fayerfield was chosen Ezekiel Woodward declared to the selectmen at Wenham that he would not keep the ordinary any longer, for it would undo him. The first motion that Fayerfield made toward keeping ordinary that deponent heard about was on a training day at a public meeting when he openly declared to the town that Ezekell Woodward desired him to take his license and he refused, saying that he understood that it was the town's place to chose an ordinary keeper, but he would accept it if chosen or if they chose another he would be satisfied. It was deferred to the general town meeting when said Fayrefield was chosen. Richard Hutten testified to the same. Sworn in court.

Richard Hutten and James Friend, who were selectmen the past year in Wenham with William Fisk and Richard Dodg, testified that at the general town meeting held Jan. 3, 1680, Woodward declared that he would not keep the ordinary any longer and Fayerfield was chosen, etc. Sworn, 29 : 1 : 1682, before Nath. Saltonstall,* assistant.

* Autograph.

Wm. Smith, with Simon Stace and Will. Smith as sureties, forfeited their bond for said Smith's appearance.

Court ordered the Treasurer of the county to issue warrants for a county rate, namely, half a single country rate, for the repair of bridges.

The account presented by the Treasurer of the debts and credits of the county being obscure and too much in gross sum, court ordered that a more detailed account be presented at the next Salem court.

Henry Kembell, administrator of the estate of Thomas Dow of Haverhill, produced an order of the General Court for the sale of part of Thomas Dowes estate to pay debts. Court approved of the two deeds of sale to be made to Tho. Eaton and Tho. Kingsbury.

Complaint having been made of a defective bridge between Salem and Topsfield in the public road at the last Salem court and nothing having been done, these two towns refusing or neglecting to make the bridge, putting it off from one to another, the clerk of this court was ordered to serve warrants to the selectmen of both towns to appear at the next Salem court for their neglect.

John Atkinson of Newbury, who was charged by the widow Stickney of Newbury with being the father of her child and dealt with in court accordingly, presented his petition for relief, bringing new evidence. Court ordered that for the future he be freed from the weekly allowance provided he find some meet place for the child at his own cost, with the approbation of one or more of the magistrates of this court, and in no case to keep

Petition of Walter Fayerfield:* that he had disbursed more than 100li. and had 60li. worth of beer and cider in his house; that his estate and livelihood of himself and family might not be at the disposal of Ezekill Woodward, who at the last court declared that he would "hold up both his hands that nither he nor I might haue the ordenary but another man might and as to his pretenc that he is disabled by the fier at boston from his labor of body but it is most euident that it is the fier of enuie that moueth now for he did keep the ordinary sinc the fier at boston and soe he Rejected the ordenary since he Receued the hurt that he pretendeth to."

* Autograph.

it at his own house. Should the widow Stickney not deliver the child to the place he provided, he was to be discharged of one-half of the former allowance and she was to maintain the child at her own cost.*

*Petition of John Atkinson† of Newberry: that according to testimony from widow Stickney's own mouth she charged the child to another before Atkinson's name was mentioned; that it is known that she had been in the same condition once before in her widowhood and endeavored to accuse an innocent person; that 8li. per year in money for maintenance and 2s. 6d. per week was too hard, "According to y^e common vaualluation of p^rvision in this time of y^e great scarsity of money, wee in y^e Country account eight pounds in money, at sixteene in other pay, or at y^e least twelue pounds. And y^e 2s. 6d. at 5s. in common pay, I cannot thinke it is y^e mind of y^e Court y^t y^e whole maintenance of such a child should bee put uppon a reputed father, (it is euident it is hers, & therefore hath Just reason to bear halfe) whereby y^e maintenance of such a child should arise to bee double w^t others pay," that such allowance might be a precedent to induce such persons to commit lewdness when by their accusations they can force it on wealthy persons and get increased income, for such persons have little conscience; that he was innocent of the crime, and if he were obliged to pay the full amount he would have to go to prison, for he had a wife and nine children, and asked to be allowed to take the child away and not be kept a continual slave "to her who hath injured me, and Impudently and scoffingly insulteth ouer me," etc.

Robert Pike,† assistant, certified Oct. 9, 1682, that John Atkinson of Newbury presented to him this day John Mihele of Newbury as the man who was to care for the child of the widow Stickney and Atkinson gave security to Mihell for his pay. He agreed to bring up the child if he could have it. Said Pike declared that it was a meet place for the child and gave his approbation.

Mary Atkinson, daughter of John Atkinson and the widow Stickney, was born Jan. 10, 1680. Copy from the register book of Newbury by Anthony Somerby,† clerk for Newbury.

Anna Chany, aged about thirty-eight years, deposed that sometime last November the widow Stickney came to her house to visit her when deponent's child was born and she said that when she went before the Major he pitied her, smiled upon her and "tenders her as his owne Child." Sworn, 30 : 10 : 1681, before Nath. Saltonstall,† assistant.

Petition of John Atkinson† after new evidence was produced.

† Autograph.

The tenants, so called, by order of the General Court called together which occasioned necessary charge at their meeting and moving to the General Court for the payment of it which was refused, the court referring them to the county or satisfaction among themselves, court now ordered the Treasurer to defray the charge not exceeding 5li. 5s.

Ezekiell Woodward and Walter Fairefield of Wenham complaining against one another in open court for irregular selling

James Myrick, aged about thirty years, testified that he was in a neighbor's house next to Goody Stickney's when she invited him into her house. When he started to go away he said it was a dark lowry night and he asked if he might stay all night. She said he might and then went to bed. On account of some discourse she had with him then, he left the house. She also told him that Samuel Lowle frequently stayed there and Lowle said that their improper relations were no more a sin than to smoke a pipe of tobacco in the street, for that was a breach of the law.

Jonathan Haynes, aged about thirty-six years, and Sarah, his wife, aged about twenty-six years, testified that the widow Stickney told them that she had made Jams Miricke believe that she would lay her child to him, but he asked to be cleared and that afterward at Frances Thurley's she talked with James and several men's names were mentioned. They agreed to draw lots and James was the first to name his brother Atkinson, whose name was drawn. Sworn, Sept. 25, 1682, before James Russell,* assistant.

John Webster, aged forty-nine years, and Ephram Wheeler, aged nineteen years, testified that in widow Stickney's house in her hearing, her son John being present, goods to the value of 2li. 5s. were tendered in behalf of Mr. John Atkinson and she was desired to choose an appraiser. She replied "Get you Gone about your business, for I will not Heare you." Moses Litle was also present. Sworn by Webster Sept. 25, 1682, and by Wheeler Sept. 26, 1682, before James Russell,* assistant.

John March, aged about twenty-three years, testified that Samuell Lowle and John Atkinson, jr., were going along with him by the widow Stickney's house when deponent called to her and said "hear is Sam Lowle what have you to say to him?" She replied, "o you Roge, looke yonder Is your Child under yonder tree, goe you Roge and see her and take it with you." Lowle denied it. Sworn 30 : 10 : 1681, before N. Saltonstall,* assistant.

John Atkinson, jr., deposed the same. Sworn 30 : 10 : 1681, before N. Saltonstall,* assistant.

* Autograph.

of drink and it being withdrawn before the court's consideration of their offences, court ordered them to appear at the next Salem court.

In addition to the former order about the widow Whitridge last March, court being informed of her utter inability to take care of herself or her estate because of her age and other incapacity ordered that her three sons, Samuell, Isaac and Thomas Colby provide for her. They were authorized to confirm such sales of land as were necessary and to make return of their doings to court from time to time.

Administration upon the estate of Thomas Clark was granted to Abigail, the relict, the estate to be settled at the next county court.

*Petition of Will Barnes† and Richard Currier,† selectmen of Amsbury: "Being acquainted wth ye state and condition off Susanna Whithredge: An antient & helpless widow belonging to y^e towne off Amsbury: Doe acc^t itt noe less then a duty unto which we are in conscience bound to present y^e same unto this honrd Courtt: which is such, y^t notwithstanding A comfortable & competent mayntenance being Allowed unto her, out off y^e estate off her form^r deceased husband Anthony Coleby (as may more pticul^{rly} appeare by an ord^r off y^e County Courtt held att Salisbury: bearing date y^e 9th off April 1661:) yett shee being a woman attended wth many Infirmities both of body & minde: is utt^{ly} uncapable off doing any thing y^t may contribute to her livelyhood or comfortable subsistence or off disposing off any off her estate unto y^e supply off her wants & necessities which are many & great & very Contrary to what her age & condition doth require: she living alone: wanting such helpe & attendance as may be convenient: Continually labouring und^r such Infirmities off body as usually attend old age oftentimes sick: and many times destitute off divers necessities & always off y^e Conveniences off life: any otherwise yⁿ shee is supplied by one or twoe off her children: whose families in y^e meane time want y^e same att home; & very much defective & decayed in her und^rstanding: whereupon wee are bold wth y^e fav^r of ye honrd Courtt to present thiss her condition to y^e serious Consideracon requesting y^t they would be pleased to Impower some one or twoe persons off Approved Credit & fidelity: whome y^r selves shall judge most meet to sell or oth^rwise dispose off soe much off her estate as may fro time to time be requisite for her comfortable supply & maintenance: whoe may be att y^e pleasure off y^e Courtt accountable to y^m or whome they shall appoynt for y^e same," etc.

† Autograph.

John Allen and Phillip Greely of Salisbury having formerly complained of the selectmen of Salisbury for 1681, Henry Browne, Henry True, Robert Ring and Nath. Browne, for illegally collecting rates and upon their appearance at court March last pleaded that they were not obliged to answer because the matter of complaint was not in the summons particularly specified, whereupon it was deferred to this court, they were ordered to appear. The selectmen were called and Robert Ring refused to answer, saying he did not come upon any such business, and withdrew. The other three made default and were ordered to appear at the next Salem court to answer to contempt of authority.*

*Plaintiff's bill of cost.

Copy of the record of Ipswich court, May 9, 1682, in this matter made by Robert Lord,† cleric.

Copy of rates made by the selectmen of Salisbury Apr. 25, 1682, and sworn before Nath. Saltonstall,† assistant. Copy made by Tho. Bradbury:†

List of presentents, signed by Daniel Hovey,† for the rest of the grand jury:

William Worms of Newbury, and his wife, for fornication before marriage. Wit: Samuell Poe and Mr. Noise.

John Burnum's bill of cost against Goodwife Penny, Goodman Benit and Mr. Cromwell mentioned.

Franceis Young's bill of cost against William Smith, for going to Marblehead, etc., 18s.

Writ: John Perle v. Samuell Morgain; for withholding 8li. in money due for four months' service according to agreement; dated 21 : 7 : 1682; signed by Hilliard Veren,† for the court; and served by Jonathan Giles,† constable of Beverly.

Writ: John Harris v. Roger Marks; debt; dated Sept. 14, 1682; signed by Robert Lord,† for the court and town of Ipswich; and served by Joseph Willson,† deputy marshal and brother of Robert Lord,† marshal of Ipswich, by attachment of money in the hands of Andrew Petter and a hat, bridle and four loads of hay of defendant.

† Autograph.

[Torn off.]

	Oxen	Cowes	3 year old	2 year old	yearlings	horses	2 & 3 year old	swine	sheep	meadow	broke up land	pasture	howses	heads	Commonages	Estates
Hen: Ambres		5	2	3	3	0	0	2	14	8	6		1	1	4	58-03-00
Jno. Allin		6	3	4	2	2	1	1	16	0	6	4	2		6	70-15-04
Henry True		1	1	1	1	2	0	0	0	0	1	0	0		2	22-15-04
Jno. Eaton j.		7	2	1	4	2	1	0	12	15	4	10	2	2	4	77-06-00
Jos. Eaton		4	2	3	3	5	0	4	20	33	10	50	2	3	12	10-15-04
Robert Downer	0	0	0	0	1	0	0	0	0	0	2	—	0	2	3	07-10-00
M ^r Stockman	6	—	2	3	0	1	0	3	2	12	3	6	2	1	4	38-19-00
Jno. Eaton, S.	4	3	5	2	2	1	0	1	0	8	—	—	2	2	4	60-03-04
Jn ^o Ilisley	1	1	0	3	0	0	0	0	0	9	—	—	—	1	2	14-05-00
Ephrim Winsly	0	0	0	0	0	1	0	0	0	0	—	—	—	1	0	03-00-00
Isac Buswell s	3	3	1	0	2	1	0	1	0	12	2	—	—	1	4	23-00-00
Isaac Buswell j	0	4	0	2	0	2	1	2	0	—	—	—	3	1	6	29-18-08
Willi. Buswell	0	2	0	0	1	0	0	0	3	—	—	—	—	2	10	09-00-00
Th ^o . Bradbury	6	—	—	—	5	5	—	10	—	—	—	—	—	—	—	31-03-04
Jn ^o Severans	0	3	1	2	5	2	0	1	30	14	4	0	1	1	6	—
M ^r Hewes	0	3	5	0	5	1	2	2	—	—	3	—	—	—	—	28-15-00
M ^r Carr	2	2	0	0	2	01	1	0	0	12	5	3	2	2	6	87-16-00
	4	8	5	3	4	2	—	—	14	18	4	12	4	2	6	86-03-04
	2	5	2	0	3	3	0	6	1	28	—	20	2	1	6	17-08-06
	0	3	0	0	0	0	0	1	3	12	1	16	2	1	2	6-00-00
	0	2	0	0	0	0	0	5	0	0	—	—	—	1	2	—
	0	5	1	3	3	4	0	0	0	14	2	—	—	4	5	—

	Oxen	Cowes	3 year old	2 year old	yearlings	horses	2 & 3 year old	swine	sheep	meadow	broke up land	pasture	horses	heads	Commonages	Estates
Jn° Mack	0	2	0	1	0	0	0	0	0	9	2	0	1	1	4	13-00-00
Sam: Felloes S.	4	4	0	0	2	0	6	0	19	12	3	6	1	2	6	48-13-00
Sam: Felloes J.	0	2	0	—	0	1	0	0	0	0	0	0	0	1	2	09-00-00
Rodger Easman	4	6	5	—	4	1	0	1	8	9	3	0	1	2	6	68-00-00
Jn° Stevens S.	1	3	1	1	2	1	0	2	10	14	2	6	—	2	12	35-—-04
Ben Stevens	4	2	5	1	3	2	0	3	10	6	—	—	—	1	0	60-00-00
W ^m Allin S.	4	4	1	2	4	2	0	6	12	12	8	2	2	2	6	65-00-00
Henry Brown	2	3	3	3	1	2	0	1	3	8	3	4	2	2	6	48-00-08
Nath. Winsly	0	3	0	2	1	1	0	1	—	—	—	3	1	1	4	21-18-02
Sam. French	2	4	5	3	2	1	0	—	—	6	6	—	2	1	6	58 ———
Widow Goodale	0	2	0	2	0	2	0	1	—	—	2	3	—	5	8	———
Jos. Fletcher	4	5	3	3	0	0	0	0	8	11	6	2	2	1	4	57-04-04
Henry Wheeler	0	2	0	0	0	0	0	1	0	0	0	6	2	1	2	09-03-00
Richard Hubbard	0	5	2	2	3	1	0	1	10	8	2	6	2	2	4	35-16-04
Jn° Dickison	0	3	0	0	2	1	0	0	5	7	3	6	1	1	6	19-19-08
Phillip Brown	2	5	0	4	1	1	0	1	0	5	3	16	1	1	2	41-16-03
Tho. Rolenson	0	2	1	0	1	0	0	1	0	3	0	6	0	1	2	10-08-00
W ^m Allin, jr.	2	5	0	2	6	1	0	6	—	12	4	1	2	1	4	42-15-00
W ^m Carr	0	1	0	0	0	1	0	0	0	0	0	0	0	1	2	06-00-00
Ephraim Severans	—	—	—	—	—	—	—	—	—	—	—	—	—	1	—	30-00-00
Tho. Eaton	0	2	—	—	—	1	—	—	—	—	2	0	1	1	2	09-10-00

	Oxen	Cowes	3 year old	2 year old	yearlings	horses year old	2 & 3	swine	sheep	meadow	broke up land	pasture	horses	heads	Commonages	Estates
Nath. Eastman	2	4	2	3	5	1	0	1	12	2	6	14	1	2	3	47-10-4
Jn ^o Easman	2	3	0	2	3	1	0	1	12	3	6	8	1	1	2	36-14-0
Nath. Brown	2	1	4	0	4	1	1	1	6	6	3	0	1	1	—	36-15-0
Jn ^o Stevens j:	2	3	4	2	3	1	2	2	10	0	6	6	1	1	2	48-00-0
Ben. Collins	0	2	0	0	0	1	0	0	—	0	1	3	0	1	2	09-06-6
— Easman	0	1	2	1	0	1	0	0	0	0	2	2	0	2	2	13-11-0
Jn ^o Carter	2	2	0	0	0	0	0	0	3	2	1	6	0	1	2	17- 6-4
Sam: Carter	0	0	1	1	1	1	0	0	3	0	1	0	0	1	2	09-10-0
Jo. Norton	2	2	0	1	1	1	0	0	0	0	1	0	0	2	2	22-05-0
Sam. Gatchell S	4	3	3	2	0	2	0	1	4	3	4	6	1	2	4	50-13-0
W ^m Hackett	0	2	0	0	0	1	0	1	—	0	2	6	0	—	2	—
Steven Flanders S	2	3	2	0	0	1	0	1	—	—	2	2	—	1	4	29-11-0
Steven Flanders J	0	3	2	3	0	0	0	1	—	—	2	0	0	1	2	21-10-0
Philip Flanders	2	2	0	0	0	1	0	0	—	—	0	0	0	1	2	19-00-0
Ben. Allin	0	0	0	0	0	1	0	0	0	0	0	0	0	1	6	03-00-0
W ^m Brown	0	1	0	0	1	0	0	0	10	5	2	2	0	1	4	08-04-4
Ephraim Brown	0	3	2	2	1	1	0	1	10	8	1	3	1	1	2	25-16-0
J ————field	0	2	0	0	0	1	0	0	0	2	1	0	0	1	4	09-18-4
Sam Fowler	2	3	0	1	1	2	0	1	3	0	2	0	0	2	4	30-05-0
Robert Ring S	4	3	0	1	1	2	0	0	8	8	6	2	0	4	5	46-04-4
Nath. Griffyn	0	2	0	0	0	1	0	0	0	0	0	0	0	1	2	09-00-0

	Oxen	Cows	3 year old	2 year old	yearlings	horses	2 & 3 year old	swine	sheep	meadow	broke up land	pasture	horses	heads	Commonages	Estates
Jn ^o Osgood	4	3	1	1	2	0	0	3	3	0	1	0	1	1	2	39-10-0
W. Osgood Sen.	4	4	0	2	1	1	0	5	10	10	5	10	0	1	8	—
W ^m Osgood j	0	4	0	0	1	1	0	0	2	3	1	0	0	1	2	10-15-0
Tho. Mudget	8	6	2	2	2	8	0	4	20	20	6	10	2	5	6	100-8-4
Isaac Morrill	2	4	0	2	4	2	0	0	0	0	2	5	2	2	4	40-6-4
Jacob Morrill	2	4	0	1	2	1	0	0	0	1	2	2	1	1	4	29-17-8
Morris Tucker	0	2	1	0	4	1	0	1	5	0	3	3	0	1	2	14-11-6
Corne Connor	0	3	2	0	2	1	0	1	2	0	3	0	—	—	2	22-05-0
Oness. Page	4	1	4	1	2	1	0	2	8	6	6	0	1	2	8	48-03-4
Jno. Gill	—	—	3	2	4	2	1	4	0	7	4	—	—	—	6	71-17-2
Jno. Clough S	2	5	6	5	2	2	1	10	10	—	—	—	—	1	6	81-09-8
Jno. Clough: J	2	4	0	2	2	1	0	3	3	—	—	3	1	1	2	36-01-6
— Clough	0	1	0	0	0	0	0	1	0	—	—	—	0	1	2	4-05-0
Tho. Clough	0	6	0	0	0	1	0	0	0	0	0	—	—	1	2	21-00-0
Sam ^l Gill	2	3	3	3	1	1	0	2	5	0	3	0	1	1	2	40-10-0
Moses Gill	2	2	0	2	1	1	0	0	10	0	0	0	0	1	—	26-10-0
And Grele	2	2	1	0	0	1	0	1	0	0	2	0	0	1	2	23-00-0
Jo. True	0	—	5	2	3	1	0	1	0	2	5	0	0	1	4	36-18-4
Rich ^d Smith	0	—	1	1	1	1	0	1	0	0	3	0	0	1	2	16-05-0
	—	1	0	0	0	1	0	0	2	0	0	0	0	1	2	06—
	—	4	0	0	2	0	0	0	0	4	3	0	1	1	0	26-1-0
	2	5	1	1	0	0	0	0	0	0	0	0	0	1	2	—
	—	3	0	0	0	0	0	0	0	0	1	0	1	—	2	13-01-0
	—	0	0	0	1	1	0	1	0	0	3	0	0	—	2	15-15-0

[Torn off]

COURT HELD AT SALEM, 28 : 9 : 1682.

Judges: Major Nathl. Saltonstall, Esq., William Browne, Esq., Major Samll. Appleton, Esq., and Major Robert Pike, Esq.

Jury of trials: Leift. John Putnam, Mr. John Norman, Mr. Deliverance Parkman, Mr. Philip English, Mr. Joseph Grafton, John Waldren, William Bassett, Samuel Johnson, Thomas Ivery, John Richards, William Steevens and Joseph Phippen.

Grand jury: Mr. Joseph Hardy, sr., Mr. Robert Fuller, Sergt. Thomas Fuller, Joseph Phippen, sr., Frances Scerry, Wm. Dounton, John Fisk, Nathaniell Stone, William Wood, Samuel Leach, John Edmonds, John Pearson and William Hascell.

Mannaseth Marston, juryman, was taken sick after the first two actions and Joseph Phippen was chosen in his place.

Mr. William Hirst, Frances Nurse, John Putnam, jr., and Tho. Putnam, jr., were chosen instead of Linn men in the action of Andrew Mansfield v. Tho. Browne.

Mr. Edmond Batter v. Wm. Nick and Mary his wife, administratrix of the estate of Robert Starr, deceased. Debt. Non-suited.*

Stephen Fish v. Samuel Very, sr., and Isaack Very, his son. Verdict for plaintiff.†

*Writ, dated Oct. 31, 1682, signed by Hilliard Veren,‡ for the court and town of Salem, and served by Henery Skerry,‡ marshal of Salem, by attachment of land and orchard by the house of William Nicke of Marblehead.

†Writ: Steephen Fish v. Samuel Very, sr., and his son Isaac Very; for taking up a horse without his knowledge or consent, which horse was later found dead; dated 17 : 9 : 1682; signed by Hilliard Veren,‡ for the court and town of Salem; and served by Jeremiah Rogers,‡ constable of Salem, by attachment of land near the house of Samuel Very, sr.

Samuell Friyll, aged about thirty-three years, testified that he would have given 50s. for this horse. Sworn in court.

Benjamin Fuler testified. Sworn in court.

Nathaniel Felton, aged sixty-seven years, and Uzal Wardall, aged forty-two years, deposed that they were desired by Steven Fish to go to Samll Very's house and Fish demanded satisfaction for the horse which was found dead in Very's possession. He agreed to stand for half the loss if Very would pay for the

‡ Autograph.

John Putnam, sr. v. Nathaniell Putnam. Trespass. Withdrawn.*

Joseph Mansfield, sr. v. Corporall Jon. Newall and Jno. Newall, son of Anthony Newell, deceased. Nonsuited, no proof legally appearing of the attorneyship of plaintiff.†

Mr. Timothy Lindall v. Nicholas Chatwell. Debt. Nonsuited. Withdrawn.‡

other half of what the horse was worth. Very said he had nothing to do with it for it was his son Isacke who took up the horse. The son was under age and Fish asked why he took up the horse without order. He replied that Samll. Carril told him that Fish had agreed with Carril and was to have 2s. 6d. for taking him up. Fish said that that was two months ago and by that agreement he was to have taken him up in a week's time. Very owned that they fastened the horse to a tree. Sworn in court.

Steven Fish's bill of cost, 1li. 10s. 9d.

*Writ: John Putnam, sr. v. Nathaniell Putnam; trespass, for felling his timber and claiming his land; dated Nov. 18, 1682; signed by Hilliard Veren,§ for the court and town of Salem; and served by Henry Skerry, jr.,§ deputy for Henry Skerry,§ marshal of Salem, by attachment of the house and land of defendant, leaving the summons with his wife.

†Writ: Joseph Mansfeild, sr., of Lyne v. Corporall John Newhall and John Newhall, son of Anthony Newhall, deceased; for cutting off wood and carrying it away from his land in Lyne, which was formerly Goodman Manton's and lately Roberd Mansfeild's, lying in the little plain northerly of the fresh marsh of Mr. Hollioak, bounded northerly by land that was Edward Burcham's, southerly by land of Joseph Mansfeild, formerly Robert Mansfeild's and easterly by a brook that runs into the fresh marsh; dated November 20, 1682; signed by John Fuller,§ for the court and town of Lyne; and served by Samuell Tarbox,§ constable of Lyn, by attachment of land of Corporal John Newhall adjoining his dwelling house, and land adjoining the house of the other John Newhall.

John Newhall's bill of cost, 17s. 6d.

Bill of cost of John, son of Thomas Newhall, deceased, 16s.

Letter of attorney, dated Nov. 22, 1682, from Joseph Mansfield, sr.,§ of Lynn to his brother Andrew Mansfeild of Lynn. Wit: Joseph (his mark) Mansfeild, jr., and Elizabeth (her mark) Mansfeild.

‡Writ, dated 26 : 7 : 1682, signed by Hilliard Veren,§ for the court and town of Salem, and served by Henery Skerry,§ marshal of Salem.

§ Autograph.

Benjamin Balch v. William Dodge, jr. Review of a case tried at the last Salem court. Verdict for defendant.*

*Writ, dated 20 : 9 : 1682, signed by Hilliard Veren,† for the court and town of Salem; and served by Joseph Dodge,† constable of Beverley, by attachment of the malt house of defendant.

Copy of agreement, May 16, 1682, made by Hilliard Veren,† clerk.

On the reverse of the foregoing paper: "We whose names are und^rwritten being ——— doe award as a finall Issue, 1, as to the 2 pole & 1-2 of land pleaded for we doe ajudge y^t Jos^h Neale is fully satisfied for what fell short of Darlands Sayle by y^e 10th in money Rec^d of Tho. Maule & has his mesure of y^e halfe acre y^t was formerly Mary Darlings. 2, as to y^e fence w^{ch} stands out of neales Ground & belongs to him to the North of his house Thomas Maule shall pay Jos^h Neale five shillings in money or remove the s^d fence on to Jos^h Neales Ground: 3, as to the lader we Judge it to be no part of the house nor apurtenance belonging to it acording to ded of sayle & therfor doe not award Maule to pay anything as to y^t pticular: 4, as to the damage done by Maule to Jos^h Neale by pulling downe the fence by selfe or order we award Tho Maule to pay Jos^h Neale fifteen shillings money y^e payment to be made by the 20 : March."

Agreement by Walter Fayerfield,† Samuel Gardner, sr.,† William Rayment† and Benjamin Balch† to be satisfied with the determination of the bench at the next county court at Salem in relation to the charge of Mr. Samll. Gardner, attorney to Benja. Balch, sr., against Mr. William Raiment and Mr. Walter Fairfield about a false oath. Wit: Benja. Browne† and Tho. Gardner.†

"for y^e more Cleare prosecution of the Action of Review & for y^e Remoueing that which lead y^e Jurie in y^e former tryall to finde for y^e defendant I doe now before this Court Charge y^e defendant with giueing to y^e Court in y^e former tryal a paper under his hand y^e contents where of is false. I doe also Charge will Raiment & walter fairfield with sweareing falsely & decitfully & knowingly so to y^e same paper. I doe also Charge John Conant with swereing untrue in y^e same paper all which Charges I do desire (with leaue of this Court) I may haue liberty to proue."

John Putnam, sr., aged fifty-four years, testified that he heard Mr. Samuell Gardner, sr., say in open court that he would prove that they had taken a false oath, whereupon Major Saltonstall replied that that was not a part of this case. Gardner replied that to prove them foresworn was a part of his case and presented a paper to the court signed by Benjamin Balch which

† Autograph.

Sergt. Andrew Mansfeild, Mr. Thomas Loughton and Corporall John Burrell or any two of them for the town of Lynn v. Thomas Browne, sr. Verdict for defendant. Appealed to the next Court of Assistants. Plaintiffs bound, with Capt. Tho. Marshall and Mr. Ralph King as sureties.*

he asked to be read in open court which was done and Balch owned it to be his hand. It charged the two men with false swearing.

Robert Kitchen† and Edward Flint† testified that as trial jurymen at the last Salem court the reason which lead them to find for defendant was the testimony of Fairfield and Rayment relating to a tender.

William Rament, aged about forty years, and John Conant, aged thirty years, deposed that being at William Dodge's house on Nov. 21, 1682, Benjamin Balch and Samuel Gardner being there, Balch demanded of Dodge 8 1-2 acres as a part of that 50 acres and 23li. Dodge said if Balch would accept the determination of the five magistrates with one added he would agree, but Gardner in behalf of Balch refused saying that they would not leave it to those who had been prepossessed and preoccupied in the case. Sworn in court.

*Writ: Sergeant Andrew Mansfeild, Mr. Thomas Laughton and Corporall John Burrill, attorneys for the town of Lynn v. Thomas Brown, sr.; for cutting and causing wood to be cut upon the town common and carrying it away to Capt. Marshall's landing place and selling part of it to a stranger who carried it out of the town contrary to the town's order, thereby claiming this land which lay in Lynn between the two hundred acres that the town gave Capt. Walker and Smith's farm which was formerly Mr. Howell's and Boston and Lynn line and the farm called Gifford's farm; dated Nov. 22, 1682; signed by John Fuller,† for the court and town of Lyn; and served by Mathue Farrington, jr.,† constable of Lyn, by attachment of the dwelling house and land of defendant.

Plaintiff's bill of cost, 5li. 4s.

Thomas Brown's bill of cost, 4li. 3s.

Capt. Walker, aged about sixty-nine years, testified that being appointed with Capt. How and Henry Collins, sr., by the town of Lynn in 1637 to lay out several farms, there was granted to him a farm of two hundred acres beyond the Iron works. All the land between this and Master Howell's now Lieut. Smith's, was left common. Henry Collins, sr., testified to the same. Sworn in court.

Lieut. Ralph King, aged about forty-three years, and William

† Autograph.

Bassit, sr., aged about sixty-three years, testified that they heard Thomas Browne, sr., say that he had cut the wood and carried it away to the value of fifteen or sixteen loads, receiving pay for it from a stranger who was a boatman. Sworn in court.

Copy of deed, dated Sept. 24, 1679, from Jacob Greene of Charlestowne and wife Mary, for 220li., to Daniell Hitchens of Lynn, his farm with the farm house and other buildings now in occupation of said Hitchens, formerly in the tenure and occupation of Samuell Bennet of Rumney Marsh, bounded "on the west westerly by the lands of Cap^t Thomas Bratle, on the north with the hills bounding that part caled the plow plaine running up to a marked tree at the corner at the north & northeast side bounded by the high ledg of Rockes, whereon seuerall pitch pine trees now stand, & from them Running downe to the pond; on the easterly side or end bounded ptly by pond & ptly by brooke, running into the pond ouer against which sd runing brooke stands the before mentioned house & buildings, together alsoe with a pcell of upland, being six acres more or lesse lying on the easterly side of said brooke, alsoe a moyety or equall halfe part of a meddow, called or knowne by the name of Squires meddow lying & being within Maulden bounds & alsoe fourteene acres of salt marsh lying in Rumney marsh formerly purchased of Cap^t Robert Bridges formerly called the fourteene acre lott be itt more or lesse & is bounded on the easterly side of a salt creeke with the lands of Thomas Newell southeast, with the lands of Samuell Johnson north east & with the land of John Ballard southwest." Wit: Wm. Kilcup and George Briggs. William Bartholmew also released his interest. Acknowledged in Boston Sept. 24, 1679, by William Bartholmew, Jacob Greene and Mary Greene, before Humphry Davy, assistant. Recorded in book 5, folio 49, 24 : 8 : 1679, by Hilliard Veren,* recorder. Copy made by Hilliard Veren,* cleric.

Andrew Mansfeild, aged about sixty-one years, and John Burrall, aged about forty-seven years, testified that being deputed by Lynn to inspect Browne's encroachment upon the common, the latter showed them where he had cut the wood and they found it to be within the common land many poles, outside of Boston line and about 110 poles outside of Capt. Walker's farm. Further, that they found 730 trees felled, most of which had been carried away, which damage to the town was estimated at 10li. Sworn in court.

Copy of papers in an action in Salem court, June, 1681, concerning a new highway between Lynn and Boston.

Deed, dated Jan. 9, 1670, from William Bartholmew† of Boston, merchant, for love and affection, to his daughter Mary, wife of Jacob Greene of Charlestowne, merchant, and her heirs,

* Autograph.

† Autograph and seal.

one farm house and out houses, with all his farm bought of Samuel Bennet of Rumney Marsh on Mar. 12, 1669-70, chiefly within the limits of Lin, bounded "on the west or westerly with the land now in the possession of Augustin Lindall in pt & land of Benjemin Muzzy in pt one north, with the hills bounding that pt of the farme called the plow-plaine running upp to a marked tree at that corner on the north, & north easterly side Bounded by an high ledg of rocks wherin severall pitch-pine trees now standeth & from thence running downe to the pond, one the easterly side or end bounded ptly by the pond & ptly by the Brooke runing into the sayd pond, And over against which sayd runing Brooke one the Easterly side therof ther is & must be six acres of upland (more or less) upon which the sayd farm-houses now standeth: And also the moity or one half pt of a medow called or knowne by the name Squires Medow lying & being within the bounds & Lymitts of Molden; And also a pcell of soult marsh Lying & being in Rumley marsh formerly Purchased of Captaine Robert Bridges Caled by the name of the fourteen acre lott (more or less) Bounded one the easterly side of a salt Creeke, & with the lands of Thomas Newell southeast, & with the lands of Samuell Johnson northeast, & with the lands of John Ballard towards the southwest with all the Commonages, rights, p^rvilages & appurtenances to the sayd fairme belonging or in any measure appertaining," each of the children of Mary Greene to receive his or her part at the age of twenty-one years. Postscript: the said Jacob and Mary were to have the use of the whole estate during their lives without dividing with the children. Wit: Richard Prince* and Henry Bartholmew.* Acknowledged 12 : 11 : 1670, before Wm. Hathorne,* assistant. Recorded 17 : 11 : 1670, book 3, folios 104, 105, by Hilliard Veren,* recorder. William Bartholmew† made void the entail, Dec. 3, 1679, when Jacob Greene, sr., and his wife Mary Greene conveyed this estate to Daniel Hitchins of Linne, which was Sept. 24, 1679. Wit: William Killcupp* and John Greene.* Acknowledged Dec. 5, 1679, before S. Bradstreet,* Governor. Recorded June 15, 1681, book 6, folio 6, by Hilliard Veren,* recorder.

Rates: Mr. Laughton, 7s. 5d.; Will. Longley, 6s. 10d.; John Gillow, 17s. 3d.; Thomas Newell, 14s. 3d.; Thomas Coldam, 9s.; Edmund Needam, 6s. 6d.; widdow How, 1s. 11d.; John Mansfeild, 5s. 8d.; John Fuller, 8s. 11d.; Allen Brade, 19s. 6d.; Robert Mansfeild, 10s. 7d.; Hugh Burt, 5s. 2d.; Andrew Mansfeild, 6s. 3d.; John Ramsdale, 5s. 1d.; Will. Ivory, 7s. 2d.; John Knight, 3s. 1d.; Edward Burcham, 3s. 10d.; Nicolas Potter, 12s. 8d.; James Axe, 7s. 11d.; Will. Knight, 3s. 4d.; Richard Blood, 7s. 5d.; George Keysar, 9s. 11d.; Mr. South, 14s. 7d.;

* Autograph.

† Autograph and seal.

Anthony Newell, 3s. 5d.; John Deckon, 5s. 5d.; John Witt, 6s.; George Taler, 6s.; Richard Mower, 6s. 5d.; Thomas Welman, 3s. 9d.; Edmond Farrington, 15s. 6d.; Adam Haukes, 16s.; Nicolas Battey, 5s.; George Frayle, 4s. 9d.; Mathias Farnworth, 6s.; Joseph Armitage, 6s. 10d.; Christopher Collins, 5s. 8d.; Jonathan Hudson, 6s. 5d.; Henry Rodes, 5s. 10d.; Thomas Townsend, 4s. 5d.; Edward Baker, 8s.; John Tarbox, 5s. 3d.; Thomas Wheller, 8s. 10d.; Richard Haven, 5s.; mill & houses, 10s.; Francis Engols, 15s. 8d.; widdow Lewis, 16s. 8d.; Will Meriam, 8s. 2d.; Thomas Hutchinson, 3s. 6d.; Mickell Lambert, 5s.; Edward Burte, 6s.; Epharime How, 3s. 6d.; total, 33li. 14s. 6d.

Quit claim deed,* dated Mar. 12, 1669-70, from Samuell Benett† of Rumney Marsh, within the township of Boston, for 220li., to William Bartholmew of Boston, merchant, his farm as bounded in the foregoing deed. Wit: Thomas Marshall† and John Hathorne.† Sarah Benit,† wife of Samiell Bennett, June 30, 1677, released her dower. Wit: John Greene† and John ———.† Acknowledged by Samuell Bennett, who gave possession by turf and twig. Acknowledged by Sarah Bennett, June 27, 1677, before Edward Tyng,† assistant. Recorded in Salem records 17 : 11 : 1670, book 3, folios 103, 104, by Hilliard Veren,† recorder.

Copy from Boston town records by John Joyliffe,† recorder: "the 27th of 11th month 1639, There is granted to M^r Thomas Fowle a greate Lott of six hundred Acres."

"At a Generall Court held at Bostine y^e 7th of May 1657. In answer to a petition from the Inhabitants of Bostone for layinge out the bounds betweene Bostine & lin, It is ordered y^t L^t Joshua Fisher of Dedham or whome else they should apoynt, shall be & is hereby apoynted to lay out the said bounds & to run a nor norwest line, into the Countrie from the midle of Brides brooke, neere the foote path, to be run by a Maridian Compasse; The proprietie of any lands laid out to the Inhabitants of Lin, beinge not disturbed according to agreement."

Copy from the town book of Linn, as entered in the town book of Bostone by John Joyliffe,† recorder: "Coppie of an Agreement of the bounds of Bostone Charles Towne & Linn. Wee whose names are underwritten, beinge apoynted by the Court to settle the bounds betweene Bostone & Linn, haue agreed to run a Nor Norwest line into the Countrie from a tree marked standinge close to Brides Brooke, neere to the foote path," etc. Abraham Palmer, Tymothy Tomlins and John Olliver.

Copy of Joshua Fisher's return, made by John Fuller,† clerk: "Upon the 12th of April 1669 The Sselectmen of Linne desiring me to Rune sum Lyne in Contrauersy betwixt M^r bennit and

* This deed is written on parchment.

† Autograph.

† Autograph and seal.

Line Town: and m^r king and Line Commons: And between Sallem and Line: The day above mentioned I Came to Line to Cap^t Marshall Howse: the next day being the 13th of Aprill I went to brides brook with diuers of Line And Trauest the Ground to Maulden Lyne; and went up Malden lyne and sett a lyne from thence parralell To the Lyne that Runs from brids brook upon a square to maulden Lynn wich I found To be Half a mile and tow Rod: but at the first lyne that I Rune from Maulden Lynn Towards Line wee Rane halfe a mile and 8 Rod Allowing the 6 Rod for the uneuennes of the Land that it might be full as Broad there upon the Square from Maulden Lyne as it was at Brides brooke: And upon the 30th of Aprill 1669 I Rane ane Other Lyne Ouer from Maulden Lyne towards Line Lyn half a mile and 8 Rod wher was a heap of stones Rayسد aboute a Crochet black oake about 47 Rod from the corner of a dwelling Howse: called the Scochmens Howse the wholl Hows being In Line Bounds: wich is Attested to be done by mee According to my best art and skill."

The foregoing was ratified by Boston, May 16, 1662, provided the selectmen of Line and Mr. Samuell Bennett freed the town of Boston from any further charge, by order of the selectmen, Hezekiah Usher, recorder. Copy made by John Fuller,* town clerk.

Thomas Marshall, aged about sixty-six years, testified in behalf of Lynn that he paid Lt. Fisher for running the line. Sworn in court.

"M^r John Gardener of Salem being desired by the Selectmen of Line to Run the bounds betwixt Bostone Charlstown and Lynn uppon a nor norwest lyne from the midle of brides brook uppon the foot-Bridge by Mst Bennitts by a meridian Compass he the sayd John Gardener Testified That the farme howse wich they Call Roger Tylers is about one Hundred Or Sixscore Rods within the sayd Lyne and that hows they call Ensigne Bancrofts is about one Hundred or sixscore Rod and the feild they Call Mst Lyndall feild wich Lyeth of to the norwestward of his farme house is wholly with in the same Lyne." This line was run in 1660. Copy made by John Fuller,* town's clark.

"At a generall Towne meeting the 16th last month 1673. It was voted & agreed that noe small tree, or trees shall be fallen uppon the Common, for fier wood Less then a foot over, uppon penaltye of payeing ten shillings for evory such tree or trees any person shall fall for the fire, or Cause to be fallen, as allsoe what green Tree or trees any pson shall fall for the fire allowed of they shall take awaye the bodye as well as the top, but if any pson shall Leaue the bodye, they or hee shall paye ten shillings for evorye such tree, they or hee shall Leaue any part of it, yet it is

* Autograph.

to be understood that swamp wood is not forbidden, but the Inhabitants maye make use of that, smale & great for their fire & for the due executing this order, any pson in this Towne seeing this order broken, hee maye require the fine of the pson Transgressing, & if hee shall refuse to paye the fine being demanded then he shall haue power to take it by waye of distress, & hee to haue one halfe of the fine & the other halfe for the Townse use, & it is to bee understood in this order that if anye pson shall Lop any tree, or trees are Liable to paye the same fine in this order as well as such as Leaue any pt of a tree." Copy made by John Fuller,* town's clerke.

"Att a Towne meeting held 9th first mo. 1657. Itt was votted that noe person or persons whatsoever whether tradsman or Any other shall fall any tree or trees oupon the Towns Common to Transport Them out of the Towne whether by making of warrs or Any other way without the Towns consent but If Any person or persons shall make use of any such tree or trees or Any kind of Timber or wood that Groweth oupon the Towns Common Thay shall pay ten shillings for the Towns use for euery such Tree or Any part of it as they shall make use of to Transport it out of the Towne: this 22 nouember 1682." Copy made by John Fuller,* town clerke.

"Att a Generall Towne meeting Holden in Lyn The 7th day of December 1681. Corporall John Burrill was then voatted and made Choys of to Joyn with M^r Laughton or Sariant Mansfeeld or Sariant Newhall or Any one of them to deffend the Towns Interest in Common Ether in Land or wood in that part of our Common that lieth betwixt Capt. Walkers Tow hundred Akers that the Town Gaue hime and Lieutenant Smiths farm And boston and Lyn linn and that farm Ussially Called Giffords farm And any tow of the afoursayd men hau power Giuen them by the Town To Sue Arest and Implead Thomas Brown Senior or Daniell Hichin or Any other parsons that doth Incroach oupon our lands or wood: or to make distres oupon ther Goods or to take any Cours in Law to deffend The Towns Intrest in Common as they shall in ther wisdoms think most meet by pulling down any fences or other things that ar or shall be Erectted oupon the sayd Common: and that from tym to tym untill The Caus be Fully heard and ended: and all the Charg Any tow of the Aboue sayd men shall be att in vindecating the Towns Right In the Abou sayd Common shall be paid by the Town: this 21 of June 1682." Copy made by John Fuller,* town clarke.

Capt. Richard Walker and Capt. Tho. Marshall testified that they settled the Lynn and Reding bounds on Mar. 22, 1652-3, for the two towns, as follows: "the head bound of Lynn next

* Autograph.

Redding was the Lyne of M^r Howels farme now Leiuten^t Smiths farme with this Consideracon y^t all the Lands betwixt the s^d head Lyne & Capt. Walkers farme of two hundred acres, which was formerlye Laid out, both the s^d Towns were to have free priviledge for feeding for catle & all other priviledges to belong peculiarlye to the Towne of Lynn which was mutuallye & fullye agreed uppon by both Townes," etc. Sworn in court.

At a town meeting, 2 : 11 : 1660, Mr. Thomas Laughton and Thomas Wheeler were appointed to protect by suit or otherwise the town of Lynn in its common land lying toward Boston as the line was run by Mr. John Gardener of Sallem. Copy made by John Fuller,* town clerk.

Lieut. Ralph King, aged about forty-two years, and Sarjant Thomas Newhall testified that they perambulated the bounds with Boston men in 1681, etc. Sworn in court.

John Greene, jr., and Henry Green, both of Maldin, both aged about fifty-four years, deposed that they were tenants on this farm for seven years and paid their rates to Boston. Their lease expired nine years ago the past spring. Sworn in court.

John Paul, aged about fifty-five years, testified that he lived with Mr. Samuella Bennitt upwards of thirty years ago in his house for the term of six years, being most of that time on the farm with him. Bennitt improved it by planting, fencing, plowing and selling timber and wood and carrying coals to the Iron works, etc. Sworn, Nov. 23, 1682, before Samuella Appleton,* assistant.

Capt. Thomas Marshall, aged about sixty-six years, and William Bassit, aged sixty-three years, deposed. Sworn in court.

John Bennet, aged about thirty-seven years, deposed that his father, Mr. Samuella Bennett sold the farm that Goodman Hockin now lives in, etc. Sworn in court.

John Giffard testified that when he was agent for Mr. John Becx and company at the old Iron works, he bought of Mr. Samuella Bennett, sr., six or eight thousand cords of wood standing on the stump in 1651-2. This wood he took from Bennett's to cut "from the howse where he then lived (w^{ch} is the place that now Danyell Hutchins lives in) a mile and a halfe Compass takeing up reddin way and soe downe to the pond that is Called the Iron workes pond." Sworn in Boston Nov. 25, 1682, before John Joyliffe,* commissioner.

Benjamin Muzzy, sr., aged about fifty years, testified that he was with the Lynn and Boston men when the line was run, Mr. Bratell being one, etc. Sworn in court.

Thomas Newhall, sr., and William Bassit testified as to the bounds. Sworn in court.

* Autograph.

Edward Nealand v. John Kemboll, sr. Trespass. Verdict for plaintiff.

Edward Nealand v. John Kemboll, sr. Review. Verdict for plaintiff. Appealed to the next Court of Assistants. Defendant bound, with Phillip Fowler and Tho. Ives as sureties.*

Oliver Purchis, aged about sixty-six years, testified that in 1655 he came as clerk to the old Iron works at Lyn and contracted with old Mr. Samuall Bennett of Boston, now surviving, who dwelt upon that farm now called Mr. Green's or Hutchins' farm for thousands of cords of wood and timber, etc. Sworn in court.

*Writ: Edward Nerland v. John Kimball, farmer in Ipswich; review of a case heard at Ipswich court Sept. 27, 1681; forfeiture of a bond in not standing to agreement concerning partition of their lands; dated Nov. 22, 1682; signed by Robert Lord,† for the court and town of Ipswich; and served by Robert Lord,† marshal of Ipswich.

Edward Neland's bill of cost, 2li. 16s. 6d.

John Kimball's bill of cost, 4s.

Caleb Boyington, aged thirty-two years, and John Jeuit, aged forty years, testified that they being at Edward Nerland's house, Mar. 20, 1681, said Jeuit and his son set up fence on a straight line from a knot in the log fence to a willow bush, which Goodman Hadly said was a line agreed upon by Capt. Whipple and Nathl. Wells. They saw John Kimball pull down the fence and Nerland warned him to secure his field, etc. Sworn, July 24, 1682, before Daniel Denison.†

Caleb Boynton, aged about thirty-two years, testified that Goodman Hadley and Nerling told them the bounds. Sworn, Nov. 24, 1682, before Samuel Appleton,† assistant.

Josiah Clark testified that riding with Nathanill Wells to Nubry he told him that he and Capt. Whipple had agreed about the line. Later he told deponent that he was informed that Kimball had blazed an ill report of him to Simon Stace, etc. Sworn, Apr. 25, 1682, before Daniel Denison.†

John Jewit,† aged forty-five years, testified that when they had set up five or six lengths of five-rail fence, John Kimball ordered them off his ground and said no fence should stand there. Gorg Hadly showed the line and Kimball pulled up the stakes, saying that the fence should be where he had set it, which was two or three rods nearer to Nerland's barn, etc. Caleb Boynton testified to the same.

Joseph Metcalf,† aged twenty-two years, testified that Kimball fenced in the land this summer. Sworn Nov. 24, 1682, before Samuel Appleton,† assistant.

† Autograph.

John Burnum, jr. v. John Downing. Review. Verdict for plaintiff, reversion of the former judgment.*

George Hadley and John Jewit testified that they were at Hadley's house when Nerland asked Kimball to run the line, etc. Sworn, June 24, 1682, before Daniel Denison.†

Georg Hadly and John Jeuit testified that Nerland asked Kimball to run the line of the fence between them that they might live like Christians. Sworn June 24, 1682, before Daniel Denison.†

John Whipple testified that he and Nathaniell Wells agreed as to the settlement of the differences, but Simon Stace would not consent. Wells came to deponent's house about six weeks before his death, etc. Sworn Apr. 25, 1682, before Daniel Denison.†

James How, aged about forty-eight years, testified that he was with the arbitrators, etc. Sworn Nov. 25, 1682, before Samuel Appleton,† assistant.

John How testified that he was with the arbitrators, who went away saying that they would not meddle with it any more. Sworn in court.

Edward Deare, sr., and Edward Deare, jr., testified that they saw John Kimball, jr., carry hay off this land to John Kimball, sr.'s, barn last July. Sworn in court 27 : 7 : 1681, at Ipswich, and copy made by Robert Lord,† cler.

*Writ: John Burman, jr., son of Ensign Burnam v. John Downing; review of an action tried Sept. 26, 1682, at Ipswich court; dated 13 : 8 : 1682; signed by Robert Lord,† for the court and town of Ipswich; and served by Robert Lord,† marshal of Ipswich.

Copy of papers in relation to this case in Ipswich court, Sept., 1682 and 1662, and Salem court, June, 1663, made by Robert Lord,† cleric.†

John Burnam's bill of cost, 3li. 13s.

Thomas Burnam, aged about thirty-nine years, testified that about twenty years ago he and John Marshall, who was then proprietor of Richard Brabrookes farm, went and mowed a part of the marsh now in controversy for common marsh and stacked the hay there. Later he carried away the hay. Also his uncle John Burnam mowed the marsh next the lot called Deacon Knowlton's lot, which is part of the Brabrooke farm, for common marsh. His uncle John Burnam set one stack of hay upon the end of the Island by the pitch pine and another stack upon the hummock of rocks which was the bound between Deacon Knowlton's lot and the marsh called common marsh. Sworn Nov. 9, 1682, before Samuel Appleton,† assistant.

† Autograph.

‡ See *ante*, volume 5, page 127.

"At a generall towne meeting feb. 16, 1663 Voted and granted to M^r Cobbitt a parsell of common marsh beyond Chebacho River below the marsh of Robert Crose & Richard Brabrooke to the River, which is also in satticefaction for M^r saltonstalls highway through his Farme." Copy from the Ipswich town book made by Robert Lord,* recorder.

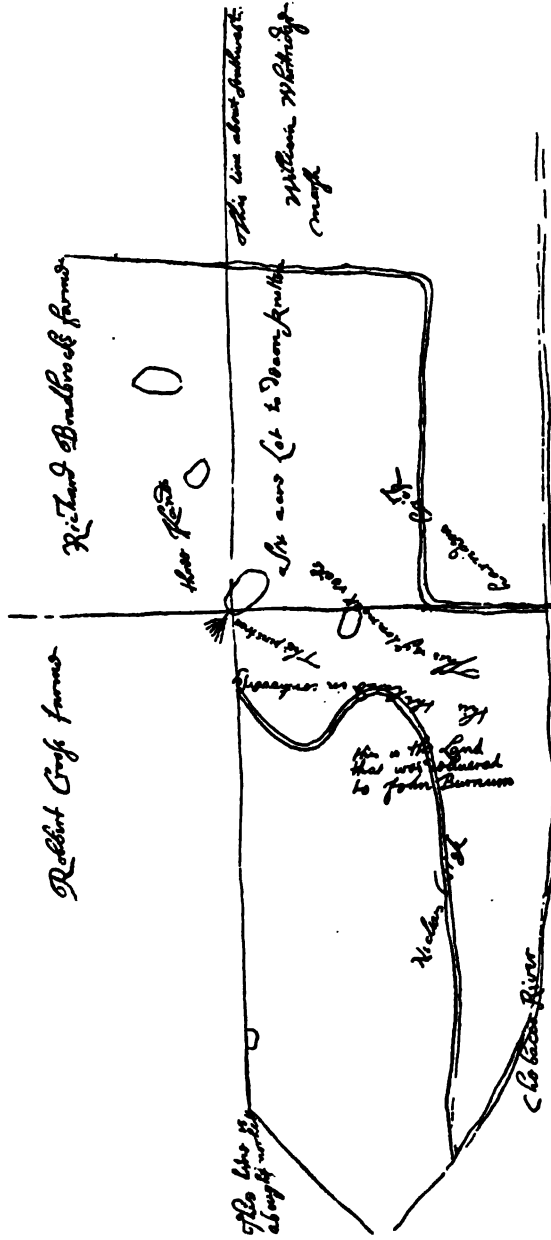
Marshal Lord testified that the grant to the pine tree and the hummock of rocks and so to the creek, is what his father Lord laid out and it does not belong to John Downing, etc. Sworn in court.

Copy of deed, dated Oct. 20, 1669, from Richard (his mark) Brabrooke of Ipswich, yeoman, in consideration of a marriage intended between John Downing of Ipswich and his daughter Mehittabell Brabrooke, to said John and Mehittabell, one-half of the farm he now dwells in, on the south side of Jubque river in Ipswich, "reserving and reteining six acres of marsh the benefitt whereof I have apoynted in tyme to come to be transfered unto my Farme at wenham and threscore pine loggs allredy fallen, within the bounds of the farme I now live in to be only excepted;" they were to have the use of part of the dwelling house and barn and all other buildings, provided that during the life of said Richard and his wife Joane they carry on the farm, and if they pay 100li. before the death of said Richard and Joane they were to possess the whole farm. Wit: William White and John (his mark) Pinder. Acknowledged Nov. 3, 1669, before Daniell Denison. Copy from the records of lands for Essex, liber 3, page 143, by Robert Lord,* recorder.

Copy of deed, dated Sept. 14, 1677, from Thomas (his mark) Cobbet, pastor of the Church of Christ at Ipswich, and Elizabeth Cobbet, for 40li. in New England money, pork, wheat and malt, to John Burnam, jr., marsh on the east side of Jubaquo river, bounded by Deacon Pengry and Robert Lord, sr. Wit: John Rogers and John Denison. Acknowledged Mar. 22, 1680, before Daniell Denison. Copy made by Robert Lord,* recorder.

Copy of deed, dated May 29, 1656, from Edward Harraden of Ipswich, for 114li., to Richard Brabrooke of Ipswich, all the house and lands he bought of John Andrews and John West and land he bought of Thomas Knowlton, administrator of the estate of his brother William Knowlton, and what he had of the town, 150 acres in all, in Ipswich beyond Chebaco river, bounded by John Burnam's land on the southwest, the line that divides between Gloster and Ipswich on the southeast, the land of John West on the northeast and marsh of William Whitred and other broken marsh on the northwest. Wit: Robert Lord and Henry Kingsbury. Sarah, wife of Edward Harraden, released her dower Mar. 29, 1669. Recorded in Ipswich records, book 3,

* Autograph.



folio 145. Acknowledged May 2, 1671, before Daniell Denison. Recorded May 3, 1681, in the records of lands for Essex at Ipswich, book 4, page 397. Copy made by Robert Lord,* recorder.

Copy of deed, dated Jan. 14, 1655, from Thomas Knowlton of Ipswich, shoemaker, and Elizabeth Knowlton, for 34li., to Edward Haraden of Ipswich, in cattle and wheat, all the house and lands sometimes in the possession of his brother William Knowlton, lately deceased, about 30 acres in Ipswich, joining a piece of upland belonging to John West on the east, upon Edward Harraden's land on the west, and Chebaco river on the north; six acres of said marsh was purchased of the selectmen of Ipswich. Wit: James Chute and Francis (his mark) Swan. Acknowledged Nov. 14, 1682, before Samuel Appleton, assistant. Elizabeth Knowlton, late wife of William Knowlton, deceased, released her dower, Jan. 14, 1655. Sworn by James Chute, sr., one of the witnesses, Nov. 15, 1682, before Samuel Appleton, assistant. Recorded among the records of lands for Essex at Ipswich, book 4, page 483.

Deacon Knowlton and Robert Lord, sr., deposed that there being six acres of marsh sold to Deacon Knowlton in behalf of his brother William Knowlton by the town of Ipswich, it was laid out to said William next his land below his lowest island, from a pine tree at the point of the island down to a hummock of rocks, and then butting against a creek called Harraden's creek up to the said island. Nicholas Marble testified to the same. Robert Lord and John Gage, lot layers, testified. Sworn Nov. 25, 1682, before Samuel Appleton,* assistant.

Benjamin Marshall testified that about twenty-five or six years ago he lived upon the farm that John Downing now lives upon with his brother John Marshall and Edward Marshall, which farm was then Richard Brabrok's. He lived there eleven or twelve years and the bound on the north was a line from a pine tree to Nicoleses creek and bounding that creek to the Chebaco river and by Hariden's creek on the other side to the river. There was only some difference between his brother John and Robert Cross about the line from the pine tree to Nicoleses creek, otherwise they were unmolested. Sworn Nov. 25, 1682, before Samuel Appleton,* assistant.

Thomas Varney, aged about forty-three years, and William Butlar, aged about thirty years, testified that Burnam mowed and carried away grass and thatch. Sworn Nov. 27, 1682, before Samuel Appleton,* assistant.

Edmand Marshall and Benjamin Marshall testified that the line bounded Nicholeses creek to Hog Island river, etc. Sworn 21 : 9 : 1682, before Robt. Pike,* assistant.

* Autograph.

Walter Fairefeild v. Tho. Fisk, sr. Appeal from the judgment of Worshipful Samuel Appleton, Esq., 15 : 9 : 1682.

John Burnum, sr., aged sixty-nine years, testified that the town sent Mr. Saltonstall, Esq., and Mr. Cobbit to him to show the bounds and said Saltonstall told deponent that the town had given him all the marsh between said Burnum's line and the river. Then Saltonstall said to Cobbit, "I doe now giue you al this Land and the Record of it." Sworn Nov. 27, 1682, before Samuel Appleton,* assistant.

Thomas Knolton and Thomas Burnum testified that Harenden said he could say nothing to help Downing. Further that Downing said if witnesses would swear the marsh to him that Burnum might go shake his ears if he would. Sworn Nov. 25, 1682, before Samuel Appleton,* assistant.

Thomas Varney testified that Robert Lord, sr., and others were showing Robert Cros, sr., the bounds between his land and the common marsh, when Cross said that the bounds came no further than the creek which afterward was called Mr. Cobet's creek, etc. This was about eighteen or nineteen years ago. Sworn Nov. 24, 1682, before Samuel Appleton,* assistant.

William Butler testified that living on the farm that was Richard Brabrock's from 1676 to 1681, etc. Sworn Nov. 25, 1682, before Samuel Appleton,* assistant.

Moses Pingry, sr., aged seventy-two years, testified that he and Robbert Lord, sr., as lot layers, had with them several ancient proprietors for their guides, especially Richard Bradbrook, etc. Robert Lord, aged seventy-nine years, testified to the same. Sworn Nov. 25, 1682, before Samuel Appleton,* assistant.

Benjamin Marshall testified as to the bounds. Sworn Nov. 27, 1682, before Samuel Appleton,* assistant.

Thomas Burnam testified that Ipswich granted the marsh to Mr. Saltonstall for a highway through his farm, etc. Sworn Nov. 25, 1682, before Samuel Appleton,* assistant.

Roberte Crosse, sr., aged seventy years, testified. Roberte Crosse, jr., testified. Sworn Nov. 27, 1682, before Samuel Appleton,* assistant.

Roberte Crosse, sr., testified that Goodman Braudbrook had this marsh given him by the town in consideration of a highway that was laid out through his farm to go to Gloster, etc. Sworn Nov. 25, 1682, before Samuel Appleton,* assistant.

John Burnum, jr., aged about thirty-one years, testified that about twenty years ago he made hay, etc. Sworn Nov. 9, 1682, before Samuel Appleton,* assistant.

* Autograph.

Reversion of the former judgment, and plaintiff allowed costs.*

*Warrant, dated Nov. 27, 1682, for the appearance of Thomas Rainer upon complaint of Walter Fairefeild for taking a false oath, signed by Bartho. Gedney,† assistant, and served by Thomas Candish,† constable of Marblehead.

Copy of the papers in this action, Nov. 15, 1682, before Samuel Appleton,† assistant, made by Samuel Appleton,† assistant:

Warrant, dated Nov. 9, 1682, for the appearance of Walter Fairefield of Wenham upon complaint of Thomas Fiske, sr., for cruelly abusing and striking his servant about six years ago whereby he was unable to perform his work, also for abusing one of his swine and, to conceal it, threw it into a swamp, signed by Samuel Appleton,† assistant, and served by Henrey Haggett, constable of Wenham.

Judgment was given for said Fiske, and Fairefeild appealed with Daniel Davison and Richerd Hutten as sureties.

Walter Fayerfield's† reasons of appeal, received Nov. 21, 1682, by Samuel Appleton,† assistant.

Thomas Fiske's answer to Walter Fairefeild's reasons of appeal.

Thomas Rayner, aged about twenty years, testified that about six years ago when he was apprentice to Thomas Fiske, sr., his dame sent him to the saw mill to repair a breach in the dam. Walter Fairefeild being there and concerned with his master in the business told deponent that he should wheel gravel that afternoon but in the afternoon came into the pit and told him that he should go with him to work in another place ramming earth. Deponent not being willing to work with him told him so, whereupon he cut a stick about a yard long, at the butt end about the bigness of a man's thumb, and struck him about fifteen blows and also shook him. He went home and showed his dame and others his bruises, which consisted of a swelling in the small of his back as large as a small hen's egg, and was not able to go out of the house for two days. Sworn, Nov. 8, 1682, before Moses Mavericke, commissioner. Copy made by Samll. Appleton,† assistant.

John Pouland, aged about fifty years, and John Bisson, aged about twenty-five years, deposed that Fiske and Fayerfield were in partnership in the mill, and the former had gone to the westward when the trouble occurred. Fayerfield had charge of the work and Rayner refused to obey him and laughed at him. The stick he struck him with was only about as large as the stem of an ordinary tobacco pipe, etc. Sworn by Bisson, Nov. 27, 1682, before B. Gidney,† assistant.

† Autograph.

Mr. Anthony Checkly, attorney to Sarah Bishop, widow and administratrix of the estate of John Bishop v. John Browne, farmer, of Ipswich. Withdrawn.

Stephen Daniel, master of the ketch *Indeavour*, upon a fishing voyage v. John Ingerson, sr., shoreman, upon the said voyage. Plaintiff assigned his issue upon the clause in the process, not delivering his part of fish according to note or order. Verdict for defendant.*

*Writ: Stephen Daniell, master of the ketch *Indeavour* upon a fishing voyage the past summer v. John Ingerson, sr.; for said defendant being a shoreman and having the fish from time to time committed into his hands had not delivered the plaintiff his part of fish according to order nor given account; dated 22 : 9 : 1682; signed by Hilliard Veren,† for the court and town of Salem; and served by Jonathan Ager,† constable of Salem. Bond of John (his mark) Ingersoll and Thomas Jeggells.†

Account of what Stephen Daniell, master of the ketch *Endeavor* on a fishing voyage, received, 21 : 9 : 1682: 30 quintells of marchet fish, 34 quintalls of Refuse Cod ye Best part of 30 quintalls was out of ye first fayr, one quintall pollock; pd Samuell Gardner by the Masters note for Generall, 8li. John (his mark) Ingersoll.

Laid out by Stephen Daniell† on the fishing voyage in 1682: for two barels of baite makrell, for our greate generall of the first fayre, 2li. 6s.; two barels of porke for our voyadge at 45s. per barrel, 4li. 10s.; 5 bushels of pease at 5s. per bushell, 1li. 5s.; the barell to put the pease in, 1s. 6d.; 12 pound of butter at 7d. per pound, 7s.; 16li. butter, 8s.; vinegar, one galon, 2s.; peper, one pound, 1s.; for 16 pound of butter, 8s.; 16 pound butter, 8s.; 28 pound, 14s.; one Cord & 1-2 of wood at 5s. per corde, 7s.; total, 10li. 18s. 6d.

"Goodman Ingersoll: If you way our third fayr of Fish before wee Com whom deliuer it || that is my part || to Isaac Foot as much as comes to two shares & halfe both refuce & marchanable soe rest: Stephen Daniell.†

"September the 1 : 1682."

Thomas Jedggels, aged about sixty years, and Jonathan Ager, aged about forty-three years, testified that they heard Ingersoll tender Danill what fish he thought good when it was weather to weigh fish and then to give him account of what fish had already been weighed. Sworn before William Browne,† assistant.

Thomas Ellyote, aged about twenty-six years, testified that about three weeks ago he heard Steven Daniell upon Winter Island where their fish was made and weighed ask John Inger-

† Autograph.

soll their shoreman why he did not weigh off their fish. "the said Ingersoll Replied you may weigh it off when you will the said Daniell Replied you know I have spoken to you offten tims to waigh it the said Ingersoll sayd I know you did but said he I thought you were not in earnest and the said daniell sayd to said Ingersoll you know you haue now wayed for me alredy as much or more fish as cometh to my part of the first three fayers of our fish but the said daniell sayd I will not except of that for I doe exspect mony for my part of the first fayer then the said Danell demanded of said Ingersoll an account of what fish hee had wayed off, of our vioge and the said Ingersoll said then I cannot tell. At another time when asked Ingersoll told Daniell he would not weigh it without his order and the latter said he had as much order to weigh that as the rest and that he would not have it lie upon the rocks to be spoiled. Zacheriah Whitt, aged about thirty-seven years, testified to the same. Sworn in court.

Wm. Hirst, aged thirty years, testified that he met Stephen Daniell going down to Winter Island about fourteen days ago as he was coming from that place. Daniell stopped him and complained that he did not have his part of the first fare. Deponent told him that he had his share if it were not the first fare and Daniell said he would recover the money for the first fare by law. There was a peel of about thirty quintals of fish left on the rock which Daniell acknowledged he had, etc. Sworn in court.

Isaac Foote, aged about thirty-eight years, testified that Goodman Ingersoll asked him if Daniell had not spoken to him about receiving some fish for him and deponent said he had and had sent a note for two shares and a half of the first fare of fish. Goodman Ingersoll said he did not know what to do for Mr. Hirst would not suffer him to deliver any of the first fare, etc. Sworn before William Browne,† assistant.

William Murray, aged about twenty-six years, testified that when Foot received the fish he told Ingersoll that Daniell desired two shares and a half of the second and third fares of fish, etc. Sworn in court.

Isaac Foot deposed. Sworn before William Browne,† assistant.

Edward Lewin, aged about twenty-three years, testified that Foote asked for twenty quintals of fish, etc. Sworn in court.

Thomas Jeggels, aged about sixty years, deposed that Daniell told Lewen to put his fish in the house and that he had spoken to his master already about it. Sworn in court.

Stephen Daniel's† petition: "1. I haveing aggred with M^r william Hirst to goe in his Ketch called the Indeavour, this last

† Autograph.

Summer upon a fishing voyadge, I then did ship five hands who went with me, and every man went upon a share according as we aggried, And hyred John Ingersol Senior as Shoreman to dry our fish, allowing him one share of fish for his work and undertaking as a shoreman To whose trust we did Commit from tyme to tyme all the fish we catcht Dureing this our fishing voyadge which fish, according to the custome of Shoremen was to be Dried, and delyvered by the said Ingersoll according to order when it was ready and he requyred thereunto, and also to give an account of his doeing therein, For as a trustie, the wholl is Committed into his hands, both to delyver and to give an account y^r of And it is not the custome for any other, but the shoreman only to delyver the fish and keep an account thereof Seing it is wholly committed into his custody. 2. That which I humbly conceive is right and equall in this case is, That we haveing Catcht 5700 fish the first fayr as by my book appears and which the Company can also testifie which number of fish is conceived undoubtedly to waygh 110 Quintalls at least when it is dryd, And my part of the said fish being two shares, a half and half quarter will amount to 32 Quintalls and upwards, And my note which I charged on the shoreman beareing date the 6 July 1682 was only for Twenty quintalls which the shoreman would not delyver according to note, was farr short of my part of the first fayr of fish, which then passed currently at 15 shillings p. Qtl. in money or in goods at such a Rate as is better than money, So that for want of my part of the said first fayr of fish I have suffered above Four pounds damadge, which fish I then exceedingly wanted to Supply my self with necessaryes in the season of buyeing them, and which first fayer is now all delyvered away without my ordor. 3. whereas it appears by severall evidences in the case, that the shoreman would put me off with fish now when the price thereof is but eleven shillings p Qtl. It doth evidently appear that my Damadge through want of my part of the first fayr fish is about eight pounds. But through want of an account of the fish which I demanded of the defendant and he denied I cannot certainly informe the honored Court fully my damadge. But if it be objected that it is the custom to pay Generalls with the first fayr fish, To this I answere that my account will make it plainly appeare That I laid in more then my part of the generall for that fayr and therefore there was no reason to deny me of my part of the first fayr of fish upon that or any other account."

"Goodman Ingersoll pray deliuer to Isaac Foot of our First Fayre of Fish twenty quentels of merchantable Fish if it will hould oute soe much as for to shares and halfe: part of it will bee for to bareds of makerell for our voyadge. p mee

"July y^e 6th 1682

Stephen Daniell."*

* Autograph.

Thomas Elliot, aged about twenty-six years, testified that there was no fish weighed to Stephen Daniel from Ingersoll until after they had gone to sea for their last fare of fish.

The answer of John (his mark) Ingersoll: "A Shoreman is Shipt wth the Consent & Mutuall agreement of the Owner of the Vessell & y^e Master, and his business is to tend & Cure the fish & to see Every Man as Neere as hee Cann; the Owner for his Ketch & Generall Charge to have his dew & the Men Each to have his share according to Custom to Giue an Acco^t at the End of the voyadge y^t is when the fish is cured & wayed. Whereas itt is Alleaged that the Shoreman had Committed into his hands by the Master Daniell 5700 fish as p the Masters book, itt doth not appeare neither tale nor the wheight of any nor doth itt appeare w^t Share, or that he had any Share in my hands for that the Generall Charges Dew to the Owner wth the Ketches p^t came to more as Judged yⁿ the first fayr, haueing had of the Owner fourty three hhd^s of Salt wth other nessesarys before the fish was wayed Neuer the less y^e master had the best part of thirty quintals of Refuse fish, out of the first Fare, and whereas hee Alleages he gaue order to Isaack foote To Receiue his fish I deny itt, for itt is not a mans saying he hath power to Receiue this or that; Giues him power, butt must more Apeare his power w^{ch} is not done only by one wittness swearing he Red a note to Jn^o Ingersoll w^{ch} Gaue foot power to Receiue fish butt I did not sware any order that foote Gaue him to Receiue fish he might as well finde the Note if Euer there was such a note, and I doe deklare the fish he Receiued went at the same time for the same price as the First fayr did then where cann his dammadge bee butt he housed his Fish a longe time & at last Carried itt to Boston & if he there gaue itt away or Kept itt to his owne dammadge soe be itt, y^e fault not myne & whereas he saith I would pay him fish now, there is no more loss by turning fish into money now then was in the spring for the Curr^t price now much lower then formerly Consequently the mony price, for our mony price is Gennerally too Ryalls Under the Curr Price, for when I am to pay fish at mony price itt is Generally take Two Ryalls or one Shilling Under y^e Curr price, and whereas hee pretends dammadge & that for not haueing his p^t of and Affirmes that y^e first fayr was all deliuered away without his order Recd the Best part of thirty quintalls of the first fayr & Judge itt more than his dew of y^t y^e Generall being payd;" it was not proved that Daniell had not received his share, and the law required that there be 40s. damage proved to have suit entered in a county court, which is impossible because the voyage is not made up and the fish not yet dry; "the law makes our fishing voyadges to hould till the last of October and further haue not beene weather since to dry said Fish," etc.

Mr. Samuel Apleton v. Capt. Thomas Marshall. Verdict for defendant. Execution granted, June 30, 1684, to Capt. Marshall [by Capt. Flood. — *Waste Book*].*

*Writ: Samuel Applton of Lyn v. Capt. Thomas Marshall of Lyn; for cutting and carrying off wood from his land; dated Nov. 21, 1682; signed by John Fuller,† for the court and town of Lyne; and served by Samuell Tarbox,† constable of Lin.

Thomas Marshall's bills of cost, 1li. 7s. 4d., and 1li. 3s.

Josiah Roads and William Clements appraised the wood cut at 4li. in money. Sworn in court.

William Clements, aged about twenty-two years, testified that he saw Quartermaster Stocker and his son Ebenesar Stocker carting wood off the land for Capt. Marshall, also Teage Bran, so called, cutting wood there for said Marshall. Sworn in court.

Copy of deed, dated Oct. 1, 1649, from John Leverett and Valentine Hill of Boston to Sam. Bennett of Lin, 600 acres formerly purchased of Mr. Thomas Fowle, bounded on the south by Capt. Robert Keines farm, a certain creek dividing the farm and it, on the line of the bounds of Charlestown westward, the line of Lin bounds eastward and northward to the uttermost bounds of Boston in that place. Wit: John Tinker and Robert Hubert. "The certain bounds of the land wee know not but o' interest in y^e land in that place according to the grant wee firme to." Recorded 15 : 10 : 1649. Copy from the first book of deeds, p. 110, by Isa. Addington,† cleric.

Copy of the will of Thomas Savage, sr., of Boston dated June 28, 1675, and proved by Capt. Thomas Brattle and Mr. Jacob Elliott before Humphry Davy, Esq., and Samuel Nowell, Esq., assistants, Feb. 23, 1681: to his wife Mary Savage the use during life of his now house at Hogg Island with the new garden and orchard on the west side, with the westernmost barn, and all the land from the house over the hill to the creek northward and southward to the sea, with the use of 40 acres of marsh adjoining the lesser island, with five cows, two oxen, eight swine and seventy sheep, also to her outright his best bed, saving one, blankets, three pair of sheets, a negro maid and one silver tankard; to his daughter Hannah Gillum, 180li., and 80li. each to her three children; to his son Thomas Savage, 150li., and 50li. each to his three children; to his daughter Mary Thacher, 150li., and 50li. each to her four children; to Thomas, son of his son Habiah Savage, deceased, 150li., and 50li. each to his two daughters; to Hannah, widow of his son Habiah, 50li.; to his son Ephraim Savage, 150li., and 50li. each to his three children; to his daughter Higgenson, all his land in Salem town or

† Autograph.

William Browne, Esq. v. Daniell Rumboll. Debt. William Curtice, attorney to Rumboll, acknowledged judgment to said Browne.*

200li., and 50li. to Mary Higgenson, her daughter; to his daughter Dennice, 100li.; to his son Ebenezer, 300li.; to his son Benjamin, 300li. at age; executors, his sons Thomas, Ephraim, Perez and Ebenezer Savage; overseers, Mr. John Hull and Mr. Isaac Addington, to dispose of his children either by marriage or to education of callings; to his overseers, 5li. each; "I desire my body, if p'sent where they may Inter it, to be decently buried, which I leaue to the discession of my executors, & ouerseers, but not with any vanity or rudenes, if possible may be p'vented;" to his son Peres, 350li.; if his wife did not accept what he had left her, she was to take her thirds; to his son Thomas, his seal ring, and to his son Ephraim, his stone ring; to his son Perez, his sword with silver hilt, and to his daughter Gillum, his plain ring. Wit: Thomas Brattle and Jacob Elliott. Copy made by Isa Addington, cleric, and copy of that copy made by Hilliard Veren,† cleric.

Copy of deed, dated Sept. 13, 1673, from Samuell Benet of Rumney Marsh, yeoman, for 25li., to Capt. Thomas Marshall of Lynn, 20 acres of land in Lynn, a part of that lot formerly Mr. Knowles, at the westward end of the said lot, bounded northerly upon a river or the Iron works land, southerly on the common of Lynn, and easterly upon the remainder of said lot. Wit: John Fuller, Ralph King and Nathaniell Sharp. Acknowledged Sept. 20, 1673, recorded 25 : 4 : 1678, and copy of the record made by Hilliard Veren,† recorder.

Josiah Roads, aged about thirty years, testified that he saw Thomas Stocker, who lives at Capt. Marshall's, cart wood, etc. Sworn in court.

Copy of deed, dated from John Knowles to the Iron works company, made by Hilliard Veren,† recorder.

Anthony Stoddard, sr., certified, Nov. 29, 1680, that he sold his interest in the Iron works to Mr. William Paine of Boston, deceased. Copy made by Hilliard Veren,† cleric.

Jno. Moore, aged about thirty-three years, and Mary Marshall, aged about seventeen years, testified that being at Capt. Marshall's house Samll. Appleton desired him to give him leave to run his fence straight over some part of the land commonly called Nole's lot, which he did, Appleton giving him a shilling for the rent of it. Sworn in court.

*Writ, dated 21 : 9 : 1682, signed by Hilliard Veren,† for the court and town of Salem, and served by Henery Skerry,† mar-

† Autograph.

† See *ante*, vol. 5, p. 44.

William Browne, Esq. v. Thomas Jeggells. Debt. Verdict for plaintiff.*

shal, who attached land on the south field and left a summons at the house with William Curties.

Letter of attorney, dated Nov. 28, 1682, from Daniell (his mark) Rumboll† of Salem, blacksmith, to his son-in-law, William Curtis. Wit: Joseph Phippene, jr.,† and William Curtis, jr.†

*Reckoned with Tho. Jeggles, Dec. 17, 1672, and he owe me ye just sum of 88li. 16s. 10d., to be paid half in fish and half in refuse fish at price current. Tho. Jeggles. Wit: John Appleton: 6th 1 m. Dr. 11 1-2li. Cotten woole att 10d. p., E wa. 6d., 1 bushell Indian, thrid 4d., 13s. 11d.; 23 : 2 : 1 bushell Indian, 1 bushll. Indian, Earth wa., 2s. 1d., 9s. 1d.; 16 : 3 : 1 bushll. Indian, 2 doz. M Hockes, 1-2li. twine, 1 bushll. Indian, 9s.; 6 : 4 : 1 bushll. Indian, 2li. Sugr., thrid 10d., 1 bushll. Indian, 8s. 10d.; 23 : 1 bushll Indian, 8li., Lead 2 fre. Lines, 7s., 1 bushll. Indian, 16s. 8d.; 10 : 5 thrid, 6d., 2li. Suggr. 6d., p. 2li. Tobackoe, 8d., p., 1 pt. Brandy, 3s. 10d.; 22 : 1 bushll. Indian, 1 qt. Vinegar, 7d., 1 bushll. Indian, thrid, 4d., 7s. 11d.; 28 : 7 oz. Whalebone, 2s. p li., 1 pt. Brandy, 1 knife, 9d., 1 bushll Indian, 7s. 10 1-2d.; 6 : 6 : 1li. sugg., 6d., 1 bushll. Indian, 3s. 6d., bushell rye, 6s. 3d.; 14 : 6 : wood. wa. 5d., 2li. Suggr. 6d. p., 3 pecks Indian, 4s. 6d.; 21 : 1 peck Rye, 1 doz. C. hookes, 3s. 6d., 1li. Tobackoe, 9d., 5s. 4d.; 23 : 1 pt. Brandy, 1 bushll. Indian, 1-2 bush. Rye, 1 bush Indian, 10s.; 7 : 7 : 1 pt. brandy, 1 bushll. Indian, 1 knife, 9d., 2 fre Lines, 7s., 12s.; 13 : 1 li. Tobackoe, 1 pt. Brandy, 1-2 bushll. rye, 4s.; 19 : 1 bushll. Indian, 2li. Suggr., 6d. p., peper, 8d., thrid, 5d., 5s. 7d.; 28 : 1 bushll. Indian, 1 bushll. Indian, 1-2 bush. Rye, thrid, 7d., 9s. 10d.; 7 : 8 : 1 pt. Brandy, 1 bushll Indian, 1 pt. brandy, 12d., 5s. 6d.; 21 : 8, 1 bushll. Indian, 3s. 4d., ½ oz. pins, 10d., 1 li. sugr., 6d., 4s. 8d.; 28 : thrid, 5d., 2 yds. Lockrom, 20d., p., 1-2li. whalebone, 2s. p., 1 bushll. Rye, 9s. 3d.; 30 : 1 hogg wa. 116li., 1 bushll. Indian, 1li. Sugr., 7d., 1li. 17s. 9d.; 14 : 9 : 28li. hoggs Sewitt, 1 bushll. Indian, Ear wa. 23d., 14s. 7d.; 23 : 1 bushll. Indian, 3s. 4d.; 1674, Recd p yor voyage with Jerem Boottman, 15li. 5s. 2d.; 30 : 9 : 1 bush. Indian, pinns, 10d., 4 yds. Irish cloath, 2s. 4d.; 3s. 2d.; 1 yd. 1-2 blue linning att 2s. p., 1 hogg, wa. 137li., 1li. Tobackoe, 9d., 2li. 3s. 8d.; 6 : 10 : 1 bushll. Indian, 1 pt. brandy, 4 yds. linning, 18d., p., 2 yds. penestone, 4s. p., 15s. 6d.; 17 : 10 : 1li. Tobackoe, 9d. p., 2 bushll. Indian, 7s. 9d.; 30 : 2li. 1-4 Tobackoe, 9d. p., 1 bushll. Indian, 1-2 bush. pease, 7s. 5d.; 7 : 11 : 1 bushll. Indian, 1 pr. smll. shoes, 18d., 1-2 bushll. pease, 7s. 5d.; 15 : 11 : 1-2 bushll.

† Autograph.

† Autograph and seal.

James Merrick, jr. v. John Atkinson, sr. Verdict for plaintiff. Appealed to the next Court of Assistants. Defendant bound, with Hugh March, sr., and Philip Greely as sureties.*

Rye, 1 pt. Brandy, 12d., 1li. Tobackoe, 9d., 3 yds. Irish Cloth, 2s., 10s. 3d.; 24 : 12 : thrid, 4d., 1 yd. Irish cloath, 2s. p, 1 doz. buttens, 8d., 2s.; 27 : 12 : 1li. Suggr., 6d., 2 bushll. Indian, 7s. 6d.; 1 bushll. Indian, thrid, 5d., 3s. 11d.; due to me, 90li. 10s. 3 1-2d. Mr. Benjamin Browne made oath to this account, copied from the book, before Hilliard Veren,† cleric.

*Writ: James Merricke, jr. v. John Atkinson, sr., of Newbury; forfeiture of a bond of arbitration given in by Mr. Moses Gerrish and Joseph Pike to settle all differences between plaintiff and defendant; dated Nov. 22, 1682; signed by Anthony Somerby,† clerk for Newbury; and served by John Hale,† constable of Newbury, by attachment of the now dwelling house of defendant.

John Atkinson's bill of cost, 1li. 6s.

James Mireck, jr.'s, bill of cost, 2li. 2s.

Bond of arbitration, dated July 7, 1682, given by John Atkinson,§ feltmaker, and James Merreke, jr.,‡ cooper, both of Newbury, to stand by the award of Joseph Pike and Moses Gerrish. Wit: Joseph Pike† and Moses Gerrish.† Sworn Nov. 28, 1682, before Nath. Saltonstall,† assistant.

Award of the arbitrators, Moses Gerrish§ and Joseph Pike,‡ July 12, 1682: that John Atkinson was indebted to James Merrek, jr., 1li. 1s. 3d. in pay and 9s. in money, the money to be paid in one month, and the pay to be paid in barley or malt, and this to be a settlement, provided Merrek make oath to his account and his mother make oath to her evidence if they are called before a magistrate at Mrs. White's house at the sign of the bear; in respect to the action of slander, Atkinson was to make acknowledgment at John March's house, when said March "doth rayes his house", at a time appointed by Merrek, etc. Sworn Nov. 28, 1682, before Nath. Saltonstall,† assistant.

Moses Gerrish and Joseph Pike testified that it was agreed by all parties that all evidence given in was to be considered as legally binding as if it were sworn to before a magistrate and each witness agreed to testify the same if called before a magistrate. Sworn Nov. 28, 1682, before Nath. Saltonstall,† assistant.

Ephraim Wheler, aged about twenty years, testified that his master, John Atkinson, came to Merrick's house and asked if the latter and his mother had sworn to their evidence and that if they would show him a copy he would pay, tendering nine shillings, and saying that he would give him an order on Caleb Moody for the rest of his pay. John Atkinson, aged about

† Autograph.

§ Autograph and seal.

Mr. John Ruck v. Adam Predice. Debt. Nonsuited.*

John Legroe acknowledged judgment to Wm. Browne, Esq., to be paid in fish.

Mr. John Legg had his former license for retailing strong-waters renewed until the next Salem court.†

Peeter Prescott took the oath of freeman.

Zacheus Curtis dying intestate, court appointed Ephraim Curtis, his son, administrator of the estate, and he brought in an inventory.‡

fifteen years, testified to the same. Sworn 27 : 9 : 1682, before Robt. Lord,§ assistant.

Nathinell Chany and Joshua Mors, aged about thirty and twenty-nine years, testified that Mereck said he would meet Atkinson at 1 o'clock in the day for the acknowledgment. Sworn Nov. 28, 1682, before Samuel Appleton,§ assistant.

Josua Mors and Joseph Mireck testified that they were present at the raising of John Marches house sometime in July last and heard James Mireck, jr., desire Atkinson to make acknowledgment, but he did not. Sworn Nov. 27, 1682, before Robt. Pike,§ assistant.

John Atkinson§ testified that whereas he had agreed to make acknowledgment for slander in saying that James Mirik had told a hundred lies, he confessed that he was wrong in being "so surten As to the number of lies I know not how maney lises that he huf tould And I Am sore that I wais so positife in the serten number that I charget him with." John Webster§ and George March§ testified that Atkeson read this writing the very day that John Marches house was raised, June 19, 1682. Sworn 27 : 9 : 1682, before Robt. Pike,§ assistant.

*Writ: Mr. John Ruck v. Adam Predis; debt, to be paid in fish; dated 20 : 9 : 1682; signed by Hilliard Veren,§ for the court and town of Salem; and served by Henery Skerry,§ marshal of Salem.

Thomas Rucke, aged twenty-four years, testified that he left a summons at the house of Adam Predis, etc. Sworn Nov. 28, 1682, before Bartho. Gedney,§ assistant.

‡Approbation of the selectmen of Marblehead, Samll. Ward,§ Joseph Dallaber§ and William Browne,§ for Ensign John Legg, as a retailer of strong liquor out of doors.

‡Inventory of the estate of Zacheus Curtis, taken Nov. 24, 1682, by Abraham Reddington, sr.,§ and John Pebody:§ wheate & ry, 3li. 15s; Indian corne, 2li. 5s.; hay & straw, 4li.; Tackling for oxen, 1li. 12s.; neate Cattell, 21li. 10s.; sheep & a mare, 5li.

§ Autograph.

The towns of Salem and Topsfield pleaded that the defective bridge for which they were presented lay between Salem and Andever. Salem affirmed that the said bridge at first was wholly erected by them with the condition that it should be maintained forever afterward by the other adjacent town, which could be proved. Ensign Chandler, who complained of the defect, declared that it had been mended by somebody, and the two towns were discharged. Further consideration of this matter was referred to the next Salem court.*

5s.; wheelles & Boxes, 1li. 16s.; Saddle & pillion, 15s.; Tobacco & flax, 1li. 12s.; shovells & Tongs, 10s.; pewter & earthen ware, 13s.; Brass & Iron, 2li. 5s.; payles & dishes, 11s. 6d.; plow Irons & Tramells, 12s.; wheelles & chaires, 16s.; Bed steed & bedding, 5li. 5s.; sheetes & Blanketts, 2li. 16s.; wooll & yarne, 2li. 2s.; swyne, 3li. 10s.; wearing cloathes, 4li.; A Box & chest, 13s.; Lynnen cloathes, 1li. 2s.; Beef and Suet, 16s.; Barrells & Table, 6s.; one calf, 17s.; meadow & mattock, 4li. 13s.; House & Land, 110li.; Barly and oates, 1li. 18s.; total, 185li. 16s. 8d.

Debts owing by Curtis: to Israel Porter, 8li. 8s. 8d.; Mr. Edmond Batter, 14li.; Thomas Putnam, sr., 4li. 3s. 2d.; Christopher Osgood, 1li. 18s. 6d.; Deacon Goodhew, 1li. 11s. 3d.; John Deane, sr., 6s.; John Appleton, jr., 1li. 11s. 5d.; John Gaines, shoemaker, 3li. 5s.; Mr. John Rucke, 21li. 7s.; Zacheus Curtis, jr., 16s. 10d.; James Smith & Jno. Procter, 15s. 9d.; Samll. Howlet, & Robert Smith, 18s. 2d.; Francis Pabody & Ben. Bixby, 1li. 5s.; Samll. Stanly & Jno. Stanly, 11s. 6d.; Jno. Gould, sr., & Isack Easty, sr., 1li. 3s. 6d.; Jeremiah Elsworth & Joseph Andrews, 17s. 6d.; Samuell Symonds & Samuell Buzzell, 9s.; Abraham Reddington, sr., 1li. 17s. 6d.; John Pebody, in silver, 19s. 4d.; Mr. Jonathan Wade, sr., 17li.; John Reddington, by bill, 44li. 11s. 11d.; Mr. Zerubabel Endecot, 1li.; Mr. Hilliard Verren, 2li. 17s. 6d.; Doctor Barton, 1li. 10s. 6d.; Mr. Philip Cromwell, 14s. 2d.; Capt. George Corwin, 7s. 6d.; total, 134li. 6s. 8d.

John Ramsdel and Abigall Cortis testified that they were present when Curtis lay upon his deathbed and made his will and he declared that it was his will that all his grandsons should have 20s. each and his granddaughters 10s. each; also that his son Epharam should have all the farm after his mother's decease. Sworn Nov. 29, 1682, before Bartho. Gedney.† John Cortes, Epharem Cortes and Jonathen Loock all consented to their father's will.

*Warrant, dated Oct. 21, 1682, to the selectmen of Topsfield

† Autograph.

Court refused to grant the request of Hugh March for a license to keep an ordinary in Newbery.*

Whereas Mr. Thomas Gardner is returned to this court as joined with his mother-in-law, Mrs. Elizabeth Gardner, administrator of the estate of his father, Mr. Thomas Gardner, and being both bound in 500li., and said Thomas objecting to be bound further than to return an inventory, which he has done, court accordingly frees him from the bond.

Samuell Phelps and Sarah his wife, for fornication before marriage, were fined.

William Chennick acknowledged judgment to Erasmus James.

The will† and inventory of Jacob Pudeater were brought in by Ann, the widow and executrix, and were proved and allowed.

upon a presentment for defect in the bridge between Salem and Topsfield, signed by Robert Lord,‡ cleric, and served by Daniell Redington,‡ constable of Topsfeild. Also warrant to the selectmen of Salem, served by John Horne,‡ constable of Salem.

*Copy of a record of the General Court, Oct. 11, 1682, of the answer of the petition of Hugh March that he would be a great sufferer by not having liberty to keep a house of entertainment, having been encouraged by the town of Newbury and having laid out considerable in fitting and furnishing for that employment, that the town of Newbury and the county court seriously consider his condition. Copy made by Edwd. Rawson,‡ secretary.

The selectmen of Newbury, Nathl. Clarke,‡ James Ordway,‡ John Bartlett‡ and Francis Browne,‡ at a meeting Nov. 27, 1682, considered the order from the General Court concerning Hugh March and "cannot Judge, it will do well for the Towne or be any benefit to his family for wee haue two already in that Employment in our Towne."

†Will of Jacob (his mark) Pudetor, proved 28 : 9 : 1682: "Imprimis. After My Debts And Funerall Expences Discharged that the Remayner of the Whole Estate both housing Land & Goods shall Be for y^e use of my wife An Pudetor During her Naturall Life. secondly: my will is that If It plese god to tak me out of the world By this Sicknes then the fve pound that John Grenslitt oeth me the Next year shall Be frely for Giuen him. Thirdly. My will is that the other fore of My wifes Children that is to saye Thomas Grenslitt & Ruth & Samuel & Jemes Grenslit shall haue Each of them fve pounds A peece out of the Estate After My wiues Desece. forthly. My will is that after My wiues Desece & the formar Legesyes

‡ Autograph.

Hue and cry having been given out by Major Genrll. Gookin to apprehend a man by the name of Thomas Russell, a Jersey-man, for stealing a horse from or running away with a horse belonging to Thomas Smith of New London, the constable of Salem was to bring him before the Worshipful Daniell Gookin, Esq., or before the Deputy Governor, and if neither of them

payd the Remayner of My Estate shall fall to Iseck Pudetor my Cosen & After his Decece to the Next that Is Nerest of Relation & soe from one Jeneration to Another. further My will is that My Louing wife An Pudetor shall Be My sole Exceccetris & haue Desired My Louing frends Cosen M^r John Browne Sen^r, M^r Francis Scerry & John Massey to be the ouar-seears of this My will & that they shall be satisfied for Any Extreordinary Paynes." Wit: John Browne* and Francis Skerry.*

Inventory of the estate of Jacob Pudeator, appraised Oct., 1681, by John Pickering* and Maneseth Marston:* one Pare of Smith Bellowes, 3li.; one old Bickerine and Andeuell, 4li. 10s.; Smalle Coules, 1li. 1s.; old Iorne, 4li.; 1C. 2 qr. 17 li. of New Iorne, 1li. 18s. 4d.; one Beme for a pare of scalles, 5s.; one pare of Stillardes and other Small, 1li.; 2 Chaldren of Sea Colle, 2li. 12s.; Charrecolle, 2li. 10s.; 2 Dweluen houses, one Barne and Shop with abought 3 Ackeres of Land with An archard in it, 210 li.; 2 cowes, 4li. 15s.; Swine, 3li. 18s.; 4 cords of wood, 1li. 8s.; Barley, garden stufe and stalkes, 1li.; one Bed and furneture, 5li.; one Cuberd, 2 table, one Chist, 4 Chares, 4li.; one warman pan, puter and one Jack, 1li. 5s.; wareing clothes and Lining, 4li.; 4 Citelles, 2 Iorne potes and hokes, Dog Iornes, 4li.; 2 Tables and one gun and Tubes, 1li. 5s.; one bed, one pillo, one scillet, 1li. 4s.; Lumber, 10s.; Corne and Beanes, 1li. 8s.; mallasis and old Barrl, 1li.; total, 265li. 9s. 10d. Debts due to the estate: Samuel Very, sr., 5li. 10s.; Ensigne Bancroft, 1li. 14s.; John Bliffin, 1li. 14s.; Jacob Barney, 1li.; Rice Edwards, 2li.; Cocar Wm. Dodge, 7s. 6d.; total, 12li. 5s. 6d. Debts due from the estate: to Wm. Browne, Esq., 41li. 1s. 6¾d.; Wm. Browne, jr., 24li. 13s. 5d.; Jno. Gedney, sr., 3li. 5s. 8d.; Samll. Gardner, jr., 3li. 12s. 7d.; Wm. Hirst, 4li. 4s. 11d.; Nehemiah Willowby, 9s. 6d.; Richard Hyde, 10s.; Jno. Rogers, 12s.; Tho. Ifes, 2li. 18s.; Wm. Raymont, 15s.; John Green, 16s.; John Cromwell, 8s.; John Marsey, 9s. 6d.; Docter Barton, 4s.; Wm. Curtice, 5li. 15s. 9d.; Jno. Landor, 7s. 6d.; James Symonds, 13s.; Francis Skerrey, 17s.; Goodm. Elkin, 2s. 6d.; Goodman Meacham, sr., 8s.; Nath. Beadle, 11s. 6d.; Goodman Hull of Beverly, 6s.; total, 93li. 1s. 4¾d.

* Autograph.

be at home to deliver him to the keeper of the prison at Cambridge, so that said Smith who was not present in these parts might proceed against him.

Hellen Chard and wife Hannah, for fornication before marriage, were ordered to be whipped or pay a fine.*

John Marstone, administrator of the estate of his father, John Marstone, deceased, brought in an inventory, and the estate being insolvent, court appointed as commissioners, Leift. John Higgenson, Mr. John Hathorne and Hilliard Veren to examine the claims of the creditors, who were to present their claims on every first Monday in each month for one year, that the court may make a just division to all.

Court being informed that by petition to the Ipswich court last September and to the General Court last October, there was "an unhansome" and unequal appraisement of the estate of Mr. George Carr, late deceased, which was irregular, and the General Court referring it to this court, Capt. Daniell Pearce, Mr. Thomas Noyce, Mr. Henry Short, Mr. Nath. Cleark and Mr. Caleb Moody were appointed a committee to make a new appraisal for the next Ipswich court to settle. The parties concerned were to defray the charges of the appraisers.†

*Warrant, dated 10 : 8 : 1682, for their appearance, signed by Hilliard Veren,‡ cleric, and served by Henery Skerry,‡ marshal, by attachment of a chest, table and bedstead of defendant.

†Copy of petition to the Ipswich court, Sept. 26, 1682, by William Carre, James Bayley, Thomas Baker and Thomas Putnam: "Whereas It pleased the most high (in whose hands our liues are & whose are all our wayes) to take away our hon^{ed} Father Carre by death, and he dying intestate left a considerable estate (which according to y^e law of god and man) ought by a proportionable equity to be divided betwixt his relict widow and theyr Children they all of them (excepting one who was providentially absent) did consent to agree to choose severall persons of knowne piety & Judgment, (viz) Captⁿ Pierce & M^r Tristram Coffin of Newbery, Ensign Buswell & Goodman Brown of salisbury & goodman Weed of Amsbery to draw up an inventory & apprise the Estate as money who accordingly did apprise it at 1400 pounds in money or thereabout, which many thought (together with two of y^e appraisers themselves) that It was rather under then about the value of it, yet (after

‡ Autograph.

this was done) our mother Carre with George & James her sons went and Got power of Administration, and then notwithstanding our mutall agreement about the first and fore-mentioned apprizers of y^e estate they (to the great wrong and prejudice of your humble petitioners, if things should remaine as they have got them stated haue (without our knowledge or consent) procured another invintory and apprizall to be drawn up by persons that could not be well acquainted with y^e estate or the worth of it (theyr choice seeming rather to be intended for theyr own ends, than any designe for peace and equity amongst us) one of them (viz) Walter Fairfeild (a man of unknown Piety and judgment) being sent for from Wenham Nigh twenty miles And another from Hampton not under our jurisdiction, And the 3^d and last from Salisbery (viz) Goodman Osgood of whose sufficiency for such a design y^e hon^{rs} may judge which prizers have now prised the estate at about eleuen hundred pounds in common pay raising the price of the outlands (being the most inconsiderable part of y^e estate) aboue the worth of it, as also the stock which y^e administrators endeau^r to turn us off with, and unreasonably undervaluing the principall part of y^e estate (viz Ilands & ferryes & meadow and upland about home with houshold goods, most of which the administrators have now carved out among themselves. Besides (as we are informed, the apprisers last chosen neuer went to see the outlands, but judged the worth of them only from the information of others, And one of them, the most considerable of y^e said apprizers has since given that as the reson of theyr so valuing the estate as aforesaid (viz) that if they had prised the estate as those that were formerly chosen had done then the administrators could never have kept and payd legacies, but it must have been torne in peices; whereby it may appear that the choise of the apprizers was only for theyr own interest, and to the great damage of those that were the heires or legatees; yet notwithstanding such an inventory as this, it was carryed to the last Court at Salem and attested and sworn to by y^e administrators: Although (as we conceive) no rule of righteousness was attended in prizing the estate some part of it being not valued to half the worth of it, and some part aboue the worth, and some things put into the invintory which ought not to have been there, being called debts though never due to the estate, and much left out of the inventory of the estate, which we conceive could not be unknown to the administrators, And so it having pleased the honord Court at Salem, through theyr misinformation to order a distribution of y^e estate according to y^e last inventory, allotting for a single portion 90 poundes) the administrators first served themselves and then the two youngest sons & then ordered that we should come and take what they had allotted to us, which we (seeing how unequally thinges were managed refused to do,

but made severall propositions for a peaceable agreement to them, which they refusing to comply with, we thought it our best way to draw our humble petition to this honord Court for help and relief in this case And wheras the honord Court were pleased to allow to James Carre a double portion on account of severall yeares service &c, we humbly conceive your hono^{rs} were not informed that he was for many yeares very sickly, and capable of very little buisnesse and for severall yeares before our fathers decease built vessells upon his own account & in co-partnership with others, receiving seuerall considerable sumes of money for the same so that we cannot conceive how our fathers estate should be so much indebted to James Carre unlesse he will returne what he hath received upon his own account to the estate. The premises being Considered, our humble petition to your hon's is that the first Invintory wch was drawn up by persons of such known worth and ability for such a worke and that by a unanimous agreement of all, and in such season before any embezzlement of the estate may stand in force and that we your humble petitioners may have an equall distribution according thereto, or that your hon's will be pleased to choose a Committee of unbyassed persons to prize the estate and set out our proportions to us that the administrators who haue hitherto had the use of the whole estate well nigh may not haue such power to serve theyr own turns and wrong us we being children as well as they, and having as just right as themselves, which is all that your humble petitioners desire, it being far from us to desire more than our due proportions." Received Sept. 29, 1682, among the records of lands for Essex, liber 4, page 468 and 469, by Robert Lord,* recorder, and copy made by Hilliard Veren,* cleric. Court at Ipswich 26 : 7 : 1682, declared that considering "the Awfull prouidence of God hath since [the last Salem court] in removing by death the Major Denison presedent of that Court doe not thinke it Fitt for them to call ouer the matter again or allter the Former settlement without aduice from the Generall Court and suposeing the petitioners haue sume ground for their complaint do aduise them to make application for that end where if they obtain order to this court for a Rehearing or consideration of that case it shall be attended accordingly." Copy made by Robert Lord. Recorded Sept. 29, 1682, among the records of land for Essex, book 4, page 469, by Robert Lord, recorder. Copy made by Hilliard Veren,* cleric.

Copy of petition to the General Court at Boston, 11 : 8 : 1682, by James Bayley, Thomas Baker and Thomas Putnam, jr., for a rehearing of the case. Copy made by Hilliard Veren,* cleric.

At a General Court at Boston 11 Oct. 1682, court referred the

* Autograph.

matter to a new hearing at the next Salem court. Copy made by Edward Rawson,* secretary.

Nathl. Weare* certified at Hampton, Oct. 6, 1682, that "wheras seuerell gentelmen of worth & honour hath giuen mee Information y^t it is reported if not evidenced that I should say, that if wee that aprized the estatt of M^r George Carr: deasesed had prized it as those had done y^t did prize it before, had don, then y^e administrators could neuer have kept it but it would haue bin toron: in peces which semes to carry a bad face: on y^e prizers, with a doubt of an unjust aprizall therfore this may signify to all To whome it may Concerne y^t the substance of y^e words I owne I spake in a Gokinge sort to one of y^e gentelmen y^t was one of y^e first aprisers, hee begininge Gokingly, with mee; but becaus he should rightly understand my meaninge I gaue him my meaninge which sepose he will also evidence: hee beinge an honest man, my meninge was that they hauinge prized, the house & lland and ferry, ram lland & pastuer ouer y^e bridge: all in a lumpe at 8 hundred or 1000 pound in money, I thought y^t not one of y^e persons Concerned in it Could keepe it & pay y^e money: and if thay had not money to pay the pticuler parts must bee againe prized becaus non could know y^e worth of y^e lland or ram lland or ferry: or pastuer as they had prized it in y^e lumpe, & if I did use y^e word toron, it might imply y^t law sutts might arise & for want of money taken by execution but for y^e aprisment I doe profes I prized it acordinge to the true ualue to my best Judgment & conscience, & was no way concerned to bee biast aney way in y^t Case."

"Nathaniell Ware wrote to me to request me to under writt it as owned by him as full as may be he (by Reson of sicknes in his family) not being in capacity to com himself this 9th of Octob. 1682 Robt. Pike,* Assistant."

Propositions made by John Allin,* James Bayley,* Thomas Baker* and Thomas Putnam, jr.:* "1. that our Honoured Mother shall Injoy the lland and Ferry duering her naturall life: 2^{ly} that our Brother Gorge shall take thee Ferry att Amsbery att 130 pounds: or elce lett us haue it att 150: pounds. 3^{ly} that we will giue our Brother James Carr: 60 pounds provided he will take For it Enock Grenleafs lott w^c is prized att twenty pounds and the Land aboue osgoods milles w^c is prized att 40: pounds: 4^{ly} that the Rest of the estate may be proportionable diuided that euery one may know his part."

Receipt, dated 18 : 6 : 1682, of Richard Carr,* son of George Carr, for 90li., his share in the estate. Wit: Ephraim Winsley* and Walter Fayerfield.*

Propositions made by William Carr,* James Bayley,* Thomas

* Autograph.

Baker* and Thomas Putnam, jr.,* Aug. 17, 1682, that the matter be settled by arbitration.

Receipt, dated 18 : 6 : 1682, of John Carr,* son of Georg Carr, for "eighty and nine wanting one shilling in the land ouer the bridg and in a gun and a sword and a belt," his share in his father's estate, wanting twenty-one shillings. Wit: Walter Fayerfield* and Zorobabel Endecott.*

Warrant, dated Boston, Oct. 18, 1682, for the appearance of Mrs. Elizabeth Carr, Mr. George Carr and Mr. James Carr, administrators, and Mr. Richard Carr, at the next Salem court, in answer to a petition to the General Court by James Bayley, Thomas Baker, Thomas Putnam, jr., signed by Edward Rawson,* secretary, and served by Nathaniell Browne,* constable of Salisbury.

Division of the estate by the administrators, George Carr,* Elizabeth Carr* and James Carr,* 26 : 5 : 1682: to Elizabeth Carr, the widow, and James Carr, the lland and the housing on it, the ferry and the bridge, 330li., the old boats, 10li., and commonage, 10li., they to pay the debts of the estate; to James Woodmancie, son of Mr. John Woodmancie, 24li., in a lot of land bought of Enoch Grenlef above Osgood's mill, 16li., 2 acres of marsh in Hal's farm, so called, 7li., 20 shillings in moveables. They tendered, 17 : 6 : 1682, in the presence of Walter Fayerfield* and Ephraim Winsley,* to William Carr at the latter's house, two cows and the land mentioned in the court's order, with a bill of 10li. 4s.; to Mr. James Bailie, one horse; to Thomas Baker, the land and three cows and two heifers; to Thomas Putnam, the land and four steers, a bull and two cows, etc. Sworn Oct. 7, 1682, before Robt. Pike,* assistant.

Division of the estate by the administrators, George Carr,* Elizabeth Carr* and James Carr,* 26 : 5 : 1682: to George Carr, the ferry at Almsbery at 80li. and he is to allow for the 33li. 12s. for the mortgage in the Inventory 3li. more, 116li. 12s.; with one-half his father's wearing clothes, a pair of shoes, one old spinning wheel, 3li. 8s., and 3-4 of Ram Island, 60li., total, 180li.; to William Carr, 20 acres of land bought of Enoch Grenlef, 20li., higlede pigledy meadow, 30li., commonage bought of Grenlef, 5li., already received, 19li. 3s. 6d., due by bill, 14li. 4s., and 3li. 12s. 6d. in moveables; to Richard Carr, one-half of his father's clothes, 3li. 5s. 6d., scale, compass and other instruments, 1li. 18s., quarter part of Ram island, 20li., land at Gunner's point, 50 acres, at 50li., higledy pidgely lot at the River's mouth, 9li., the piebald horse, 2li. 15s., a pair of boots, shoes, a carbine, a back, sword, pair of fetters and a rest, 3li. 1s. 6d.; to John Carr, the land over the Bridge, 35a., 87li.; one musket, sword and belt, 1li. 9s., 21s. in pay from James,

* Autograph.

1li. 1s.; to Mary, wife of James Baily, 8 acres of meadow in the cow common, 28li., already received, 23li. 11s., 33 acres of land at Holt's rocks, 36li., and 2li. 9s. in moveables; to Thomas Baker, for his wife, 67 acres at Holt's rocks, 74li., and 16li. in moveables; to Thomas Putnam, for his wife's portion, 90 acres above Osgood's mill, 40li., already received, 20li. 8s. 6d., 4 acres in the cow common bought of Enoch Grenlef, 15li., and 14li. 11s. 6d., in moveables.

James Freeze and Richard Goodwin testified that when they were at work in 1679 with George Carr, jr., at Almsbury, his father George Carr, sr., came up there and received the ferry out of the hands of Wm. Sammon and he delivered it to his son George to keep until he called for it. They understood that it was in the nature of a gift. Sworn Mar. 13, 1682, before Nath. Saltonstall,* assistant.

William Sargent testified that since George Carr's death, Mr. George Carr, jr., desired him to fell and make two or three thousand staves on said Carr's land, and he also sent his man Samuell Marsear to felling timber. Deponent had worked up the timber into staves. Sworn Oct. 7, 1682, before Robt. Pike,* assistant.

William Carre testified that George said he would fell enough timber to make ten thousand staves, etc. Sworn Oct. 7, 1682, before Robt. Pike,* assistant.

Tristram Coffin,* aged fifty years, and Stephen Greenleaf, jr.,* aged thirty years, testified that last July they were with Nathaniel Wiar of Hampton in Hampshire and they asked him how it was they appraised the estate so low, etc. Sworn by Greenleaf Sept. 26, 1682, before James Russell,* assistant, and by Coffin Sept. 27, 1682, before Robert Lord,* cleric.

Joseph Bayley* deposed, Oct. 20, 1682, that his brother Jams Bayley, being bound to the southward and destitute of a horse, desired him to go over to his mother Carr's for that horse due to him for his wife's portion, which he did. Wit: Jacob Joy,* John Carr* and Richard Carr.*

James Freese, aged about forty years, testified that in 1677 George Carre, jr., and James Carre built a ship at old Mr. Carre's island for Mr. Allen of which Mr. Henry Wheeler went master and the said James built upon his own account and made bargains with men as a partner with his brother. Old Mr. Carre charged both of them for their diet at his house and that of their men. Sworn Sept. 25, 1682, before Robert Pike,* assistant.

Daniel Peirce, aged about forty-three years, testified that he heard Mr. Bayly say that he hoped to have the ferry and islands appraised at 200li. more than they were. Sworn 25 : 9 : 1682, before Robt. Pike,* assistant.

* Autograph.

Answer of the administrators to the "false, fallacious & reproachfull petition" presented to the Ipswich court: that the trouble began upon the night of her husband's burial; that it was hardly to be paralleled that sons-in-law should so impose upon the widow and natural sons; that all of the land about the home consisted of but 109 acres, much of which was very rocky and much of the marsh very bad, yet with the house appraised at 387li. 10s. is at its full value; that the ferry is held only by maintaining the bridge which will cost 30li. this year to make it good, yet it was appraised at 110li.; that Georg, the eldest son, had Amesbury ferry given him by his father many years since; that our law books do not give equal portions to daughters and sons only where there are no sons, "yett o' loue would haue borne itt, had nott their husbands grasped att our All," etc.

Copy of mortgage deed, dated Apr. 6, 1678, from James Freeses of Amsbury, to Mr. Thomas Woodbidge of Newbery, for 110li. due on bill and assigned to George Carre, sr., and James Carre, his dwelling house and six acres of land at a place called Jamaica in Amesbury, also forty acres between land of Nathan Gold of Amsbury and John Davis of Newberry near a place called Cobbler's brook bought of Wm. Barnes of Amsbury, said Freeses to pay 60li. in money or work within three years. Wit: George Carr, jr., and Richard Carr. Acknowledged Apr. 6, 1678, before Jo. Woodbridge, commissioner. Recorded in the records of Norfolk, book 3, page 77, Apr. 8, 1678, by Thomas Bradbury, recorder. Copy made by J. Bayley.*

Richard Carr, aged about twenty-three years, testified that James Carr had an interest in that ketch built for Mr. Longfellow and afterward sold to Mr. Tho. Woodbridg and lastly to Mr. Greene, etc. Sworn Sept. 23, 1682, before Robt. Pike,* assistant.

Joseph Bayley, aged about thirty-three years, testified that Mr. Carr asked him several times which of his sons he should give his Island to, "truly Sir said I to which you please then Mr Carr did say to mee Jams Carr shall haue it for he haue been the best boy." Sworn Oct. 9, 1682, before Robt. Pike,* assistant.

Ephraim Winsley testified that he was present when Bayley, Puttman, Baker and William Carr refused to accept what was tendered and they were told they might have the household stuff if they would accept it. They then were tendered chairs, forms, old pewter, a saddle and 4li. worth of cask, also 10 or 15li. in the land granted by the General Court. Thomas Putnam should have if they could procure it, etc. Sworn 27 : 9 : 1682, before Robt Pike,* assistant.

* Autograph.

John Bullock had his license continued until the next Salem court, in June, which is the time of renewing licenses.*

William (his mark) Osgood, sr., and Walter Fayerfield† testified that they were desired by the administrators to appraise the estate, which they did. Sworn Oct. 7, 1682, before Robt. Pike,† assistant.

Elizabeth Carr informed the court that it was her husband's will that James should have the Island as a gift from him in consideration of his filial duty for eleven years, etc.

John Stokman, aged twenty-nine years, testified that he had heard George Carr say that he would not take 2,000 pounds for his Island and ferry. Sworn Oct. 10, 1682, before Robt. Pike,† assistant.

Richard Smith, aged forty years, testified that he had heard Mr. Carr say that he was offered 1,500 pounds for his home living. Sworn Oct. 10, 1682, before Robt. Pike,† assistant.

Bounds of Mr. Georg Carr's Island where he lived, divided into two parts: "from the building place at the south sid of the Island on a square to the north side is 77 Rods and from said square to the west End is in length 87 1-2 which being computed with the bredth at the west end amounteth to 22 acres and 155 Rods and from the square line aforsaid to the eastward end of the medow on said Island it is 98 Rods and at the said east end it is 35 Rods broad which by computation amounteth to 34 acors & 48 Rod which is in all 57 acors and 43 Rods of which ther is about twenty acors of very Rockey land soe that ther is not an acore that is tillable and in the wholl Island ther is but about four acors of plouable land and that of it which is marsh or medow the greatest part is very bad and the land at Ram Iland is by mesur but about sixteen acors and 159 Rods about four acors of which is contained in four or fiv Rokey hills which is very littill worth and the pastur ouer the bridg being farr the greater part of it Exeding Rocy land, by mesur is found to be but 35 acors and 65 Rods and the wholl sum of the land by acors of the Iland and Ram Iland and the pastur ouer the bridg by mesur is 109 acors 42 Rods."

Petition of Elizabeth Carr† that administration be granted to herself, her eldest son George and to her son James Carr, who had the management of his father's business.

Letter from Caleb Moody,† Nathl. Clarke,† Tho. Noyes† and Henry Shortt,† Mar. 22, 1682-3, to the administrators asking if they wish to have the inventory completed according to court order, if not, they will not trouble themselves further about it.

*At a meeting of the Salem selectmen, Aug., 1682, appro-

† Autograph.

Robert Pike, jr., was allowed 4li. for killing several wolves, the treasurer to pay him.*

Ten shillings were allowed to the servants of John Bullock's house.

[Bond dated Aug. 22, 1683, of Simon Horne of Salem, cordwainer, to Joshua Rea of Salem, yeoman, for 15li. 8s. 10d., in money, shoes and English goods, in consideration of a house and land bought of said Rea, as per deed.—*Waste Book*.]

Upon a petition from the surviving children of John Solart of Wenham, deceased, that they might have the portion of their brother, Joseph Solart, one of the children who deceased before he came to age, court ordered that it be divided among them.†

bation was given to John Bullock, not only to keep a cook's shop, but to draw wine, beer and ale. Copy made by John Hathorne,‡ for the selectmen.

*At the time of the late change in the County of Norfolk, this amount was due him from the Salisbury court.

†Petition, dated 30 : 9 : 1682, of Elizabeth, wife of Joseph Lovett, Sarah Solort, Hanah, wife of John Trask, Martha, wife of Thomas Killam, Abigell, wife of Mordica Larkem, Bethiah Solort, John Edwards, in behalf of the children he had by Mary, daughter of John Solort, surviving children of John Solort, late of Wenham, that their brother Joseph having deceased, and Ipswich court of Sept. 24, 1672, having ordered a division of the estate among Elizabeth, the relict, and the seven youngest children, that they might have Joseph's share equally divided among them.

Petition of Joseph Lovett and wife Elizabeth, Jno. Trask and wife Hannah, Daniell Poole and wife Sarah, Thomas Kelham and wife Martha, Mordecia Larekam and wife Abigail, Bethiah Solart and Jno. Edwards who married with Mary Soolart, in behalf of her children, all children of John Solart of Wenham: "our father dyed Intestat about aleuen yers sinc and Septem. 24th 1672 Administration was granted to our mother: who was also decesed befor the time was com that we were all of Age to Receiue our proportions ordered to us by the said court of our fathers estate our mother was not bound by the Honoured Court to pay us but our fathers land was bound for the securty of our portions and Ezekill woodward that maryed with our mother did Refuse to enter into any obligation to pay our portions our brother Joseph whoe would haue bien of Age the last Winter is dead and your Honores haue declared the last court at Salem that his portion shall be deuided amongst us,

‡ Autograph.

Court being informed that the clerk of the writs of Newbery had entered the bastard child of Sarah Stickney of Newbery in the record of births as the child of John Atkenson, upon whom she charged it, although he did not own it, it was declared to be a high irregularity, and the clerk was ordered to appear at the next Ipswich court unless he give satisfaction to said Atkenson before that time. The clerk was ordered to erase the entry from the book of records and cause it, if it be returned to the county records, to be altered or erased from those records.

Administration upon the estate of Richard Hutchenson having been granted to Sarah, the relict, and Nath. Putnam, who brought in an inventory, and a will* having since appeared, the said will was allowed and the administrators were ordered to deliver the estate to the executor named, who was to make satisfaction for all charges for the maintenance of the widow to this time.

but except your honnours will be pleased to put us into som capacity to gitt it, we know not well how to gitt it that soe we may deuid it and as to our sister Sarah the wife of Daniell Poole she is 28 yers of age and she is yett without her portion and except that she will accept of a percell of land which our father bought at a very deare Rate for his convenienc which was well fenced and she alow the same price for it now, the fenc is taken off she is not like to haue anything that which we humbly craue of your honours is that seing our mother who was the Administratrix is dead and ther is a considerable part of our fathers estat Remaining undisposed of that your honnours would grant Administration to your petitioners or to some of them to such lands or estat of ther decesed father as they may find that is not yet disposed of that soe your pore fatherles petitioners be not wronged of that which doth belong to them." Court declared that the children having come to age could recover their right from any person withholding it.

*Will of Richard (his mark) Hutchinson† of Salem, "weake in Body by Reason of age," dated Jan. 19, 1679, and proved by James Bayley who made oath Sept. 26, 1682, and by Joseph Mazary 28 : 9 : 1682: "First I doe Bequeath my soul into y^e hands of y^e Lord who Gaue It when it shall please him to Call for It. And my Body to be decently Buryed by my executor with assured hopes of a Resurrection. 2 In Respect of that outward estate which It hath Pleased y^e Lord to bestow upon mee and Is now at my Dispose my will Is As followeth First

† Autograph and seal.

In Relation unto my Dear and Louing wife, my will Is that she shall be and Remain at my son Joseph Huchinsons house, During her Natural life, if she sees Cause there to be provided for, with Convenient housroome meat Drink and Lodging, and all other thinges whatsoever that may be Comfortable & suitable for one of her age During her life And ten shillings yearly to be at her dispose to be payed by him in money or Butter Or if shee sees Cause to Remoue from thence and to Liue In Any other place Then shee shall haue all that Estate which was in her hands when I marryed her excepting that parcell of Land which Samuel Leach of Manchester had which was for the payment of her Debts, the said Estate to be at her dispose to whomsoever she pleaseth. But If shee Remaines at my son Hutchinsons house during her Life then the said Estate shall be In y^e hands of my Executor, and be fully at his Dispose. Only her wearing apparrell shall be at her liberty to dispose of at her decease.

"2 In Respect of my Land my will Is 1. That my son-in-law Anthony Ashby and my daughter Abigail his wife shall haue twenty acres of Land lying by the hill Called Hawthorns hill & lying y^e whole Length of my land, this Land being free to them theyr heires or assignes. 2. I Giue unto my son-in-law Daniel Bordman, and my Daughter Hannah his wife theyr heires or assignes || twenty acres of land || lying by & adjoyning to y^e Land aboue expressed and Lying y^e whole Length of my land. 3. I Give unto my Grandchildren Bethiah Hutchinson & Sarah Hadlock each of them ten Acres free to them & theyr assignes lying by & adjoyning to y^e Land above expressed, and Lying the whole Length of y^e Land. 4. I Give unto Black peter my servant five Acres of land lying by & adjoyning to y^e land above expressed to him & his heires, or if he have no heires then It shall Return to my executor his heires or assignes. 5. I Give unto my son-in-law Nathaniell Putnam, and my son-in-law Thomas Hale and my son-in-law James Hadlock each of them forty shillings to be payd by my executor within two yeares after my Decease. 6. Also I give to my son-in-law Daniel Bordman & Anthony Ashby each of them forty shillings to be payd by my executor within two yeares after my decease all y^e said above written sumes to be payd In comon pay at price Currant. 7. Lastly I make my son Joseph Hutchinson sole Executor to this my Last will and testament, Enjoyning him his heires or assignes to pay all my Debts and Legacyes, And I Do freely Give unto him, his heires or assignes Peter my servant, And all y^e Rest of my estate Both moveable and Immoveable." Wit: James Bayley* and Joseph Mazary.*

Inventory of the estate of Richard Huchison of Salem, taken

* Autograph.

Ezekiell Woodward and Walter Fairefeild, complaining against one another for illegal selling of drink, were fined.*

Sept. 25, 1682, by John Putnam, sr.,† and Joshua Rea, sr.:† tow oxen, 7li.; A bull and a steere, 5li. 10s.; one Hefher, 2li.; tow cowes, 5li. 10s.; tow cowes, 5li. 10s.; tow Iron potts & other iron things, 2li. 1s. 6d.; Brass cittle & other Brass, 12s.; wooll and yarnne, 9s.; tow Cubberds, 1li. 15s.; one cutting knife & trunke, 6s. 6d.; one parr cartt wheeles, one table, with other lumber, 1li. 19s. 6d.; His apparell, 2li. 16s.; tow featherbeedes with bedding, 10li. 11s.; Chaffe bede with other things, 1li. 2s.; one Heifher & some piggs, 2li. 2s.; one Horse and 7 Sheepe, 4li. 12s.; putter, good, 17 pound, 1li. 1s. 3d.; old putter, 18 pound, 13s. 6d.; three yards of cloath sarge, 18s.; Aboute seventy Ackers of upland being a partt of maior Hathorns farme, 55li.; total, 111li. 9s. 3d. The estate of the now widow: 19 akere of land att mancester with the comanage too itt, 15li. 10s.; Bede and bedeing, 5li. 17s.; old putter, 14 pound, 10s.; old Brasse, 8s.; one Iron pott with other Iron things, 14s.; tow Charres with other lumber, 6s.; total, 23li. 5s. Whole estate, 134li. 14s. 3d.; 4 swine, 2li. 10s. Debts due from the estate: to Mr. Brown, sr., 9li. 9s. 5d.; Capt. Gorge Curwing, 4li. 6s. 2d.; Mr. Endecut, 1li. 7s. 6d.; John Maston, 7s.; Edward Mold, 5s.; Joseph Holten, sr., 2s.; James Hadlock, sr., 12s. 6d.; Jonathan Walcut, 3li. 14s. 6d.; Nath. Putnam, 24li. 5s.; widdos mentance and Administrators Chargs, 5li. 10s.; total, 49li. 19s. 1d. Debts due to the estate: Iseral Porter, 12s.; John Putnam, sr., 1li.; Edward Beshep, 3s.; Mr. Hares, 15s.; total, 2li. 6d. Total of the whole estate and the debts paid, 94li. 5s. 8d., Sarah Huchinson† and Nathaniell Putnam,† administrators.

*Warrant, dated Nov. 2, 1682, for the appearance of Ezekiell Woodward and Walter Fairefield, signed by Robert Lord,† cleric, and served by Robert Lord,† marshal.

Walter Fayerfield, aged about fifty years, testified that he saw Woodward deliver rum by the gill and cider was sold in his house by the quart by his order. Samuell Kimball, aged about twenty-eight years, testified that he bought rum by the gill and he saw cider and rum sold by Woodward's family when the latter was present. Sworn in court.

Walter Fayerfield and Sarah Fayerfield, aged about forty-three years, testified that last winter Woodward came into their house and Sam Hide, the Indian, also came in. Woodward called for a gill of liquor for the Indian, saying "this is the Rogue that gave me a dram in the woods," and gave it to him. Sworn in court.

† Autograph.

Mr. Daniell Epps presenting a motion in behalf of the relict and executrix of the Honoured Daniell Denisson, Esq., de-

Ezekiell Wooderd, sr., testified that he saw Farefield's wife sell rum to an Indian. Sworn Sept. 25, 1682, before B. Gidney,* assistant.

Ezekell Wooderd, jr., aged about seventeen years, testified to the same. Sworn Sept. 25, 1682, before Bartho. Gedney,* assistant.

Walter Fayerfield* complained that Woodward had sold strong liquor without license during the time that he was paying custom to the country for the license of the ordinary in Wenham.

Thomas Fiske, jr., aged about twenty-nine years, testified that he saw an Indian drinking strong beer out of a quart pot and asking Goodwife Fairefield if she gave Indians strong drink, she replied, "And why not we are all one mans Children." Sworn in court.

Richard Huttn, sr., testified that Fairefield had unseasonably entertained town people and some others on the Sabbath day and a great part of the night, notwithstanding he had been asked not to do so. Sworn in court.

John Abbey, jr., aged about sixteen years, testified that last Indian harvest he was at Fairefield's with Marah Woodward and saw Goodwife Fairefield deliver two gills of liquor to an Indian, who gave him some of it. Sworn Nov. 28, 1682, before Samuel Appleton,* assistant.

Bethia Salla, aged about sixteen years, testified that a group of Indians who made stone wall for her master came from Wenham drunk. They brought liquor with them and said they had three quarts of rum at Fairfield's the day before. They gave her some to drink. Sworn Sept. 25, 1682, before B. Gedney,* assistant.

Thomas Kimball, aged about twenty-five years, testified that he saw Woodward's wife take money at her house for cider by the quart. Sworn in court.

Richard Huttn, aged about sixty-two years, testified that an Indian came in the evening to his house, rapped on the door and came in, Thomas Fiske, sr., being there at the time. He smelled strong of liquor and they charged him with being drunk, and, asking him if he had not come from the ordinary, the Indian replied "Oh, strang you & Some others would faine pull that ordinary downe." Sworn in court.

John Seavare, aged about thirty-five years, testified that he saw Goodwife Fairfield give liquor to an Indian in her house. Sworn Sept. 27, 1682, before Robt. Pike,* assistant.

* Autograph.

ceased, for the probate of the will, she being unable to appear personally, court desired Major Samuel Apleton, Esq., and Maj. Robert Pike, Esq., that they would please, as the law allows, wait upon the gentlewoman, the recorder being present, and allow the will, making a return to the next Ipswich court.

Court ordered warrants to be issued for all persons presented who had not appeared, Mr. Eben Gardner, Mr. Packer's wife, Mr. Duncan's daughter or any other.

Mr. Samuel Gardner, jr., presented an inventory of the estate of Mr. Joseph Grafton, deceased.

The will and inventory* of Robert Adams were presented. Court ordered the will to be committed to the Worshipful Major Robt. Pike, Esq., to administer an oath to Mr. Woodbridge, one of the witnesses who was not able to come to this court and to return the said will to the clerk of this court. The inventory was presented by Abraham Adams.

*Inventory of the estate of Robard Adams, late of Newbury, who deceased Oct. 12, 1682, taken by Tristram Coffin† and Caleb Moody:† his dwelling hows and barne and cow howsis and orchard, 80 akars of upland, 60 akars of meddow and frehowld, 600li.; 5 oxen, 6 Cowes, fower thre yarlings, 56li.; 4 too yearlings, thre yearlings, tow calves, 13li.; a hors, 4li., 40 shepe and lams, 12li., 15 swine, 9li., 25li.; cart and whels, chains & youckes and dung pot, sledes and plow, 5li.; saddell and collar and hors trascis, 1li. 10s.; his warring apparill, woolling and lining & stokins, 14li.; hates and showes and glouefes, 1li.; the bead in the parlar, bowlster and tow pillos, 2 blenkits, a cooverlid, 5 shetes, 4 pillocasis, beadstid and bead cord, straw bead, 13li.; a great char and a chist, bras pot, pot hookes, 1li.; 4 chares, a trunk, a box, trundell beadstid, 1li.; 16 napkins, 12s., bookes, 20s., 3 guns, 2 swords, 4li. 6s.; the bead in the garrat, bowlster and pillow, pare of shetes, two Roudges, beadstid and cord, 6li. 1s.; tabell, 20s., Roadg, 30s., wooll, 50s., yearn, 5li., 10li.; bras and pewter, potes, spit and tramils, 6li.; tonges, andirons, with severall other utensils, 4li.; barriles, tobes, pails, trayes, 2li.; sidar, 50s., Indean corne, 15li., barly, 20li., 37li. 10s.; wheat, oates, 5li.; tornops, 10s.; sawes, wigis, howes, axis, with other towls, 3li.; butar and ches, 6li.; cloth, 40s.; Jacob's hows and land as it is fensed in and the lote of meddow at the nek, 100li.; total, 916li. 17s. Debts: to Trusteram Cofin, 6li. 13s. 6d.; John Person, 12s. 10d.; merchant Wainrite, 27s. 6d.; docter

† Autograph.

Francis Nursse and John How presented an inventory of the estate of Edmond Bridges, sr., and it was allowed.

An account of more charges for the bridge at Lynn was presented and filed.*

Inventory† of the estate of Samuëll Harris, who died intestate, was presented, but it not being signed or sworn to was filed.

doyle, 10s.; John Webster, 26s.; Mathew Petinggill, 8s. Credit, by Calip Moody, 7li.; Joseph Pike, 16s.

*Henery Collins, jr.'s‡, account, dated, Lyn, 28 : 9 : 1682, of the remainder of the work at the county bridge in Lyn, he being overseer of the work: to Henery Collins, jr., 12 days work, 1li. 16s., falling and hewing a peice of Timber to lay over the Arch, wch was taken out of my own land, 10s., falling & hewing one peice of timber, 6s.; eight oxen & two hands one day, 13s., eight oxen & two hands, one day, 13s.; to Capt. Marshall, four dayes in carting with 4 oxen & one hand, 1li. 6s., diating the sawyers, 12s., expenses to the Hond. Magistrates & seaven men, 11s.; to Thomas Brown, sr., 7 dayes work with his hand, and one day with 4 oxen and one hand, 1li. 7s.; Edward Baker, 8 days, 1li. 4s.; Eben. Stocker, 2 days, 6s.; John Moor, 8 dayes with his hand, 1li. 4s., two days with Eight oxen and 2 hands, 1li. 6s., carting stones with 4 oxen one day and one hand and 2 oxen and one hand one day, 10s. 6d., for carting Timber with 8 oxen & one hand one day, 10s. 6d., and for his boy one day, 1s.; Samuëll Moor, for two dayes work with his hand, 6s.; to William Bassett, sr., two Dayes work with his Hand, 6s., one dayes work with his hand, 3s.; Daniell Gott, one dayes work with his hand, 3s.; John Newhall, jr., 6 dayes work with his hand, 18s.; Samuel Stocker, two dayes work, 6s.; Robert Burgis, 5 dayes work, 15s.; John Burrill, jr., one day with his hand, 3s.; Eben Hathorne, four dayes work, 12s.; Nath. Kertland, one dayes work, 3s.; Will. Bassett, sr., for his Boat one day, 6s.; John Diven, four oxen & two hands, one day, 9s., for carting stones with 2 oxen and one hand, one day, 4s. 6d.; to Capt. Marshall for expenses about workmen employed by Hen. Collins, jr., 10s.; to Hen. Collins, jr., for breaking and wearing his copes and tackling wore out about the county bridge, 6s.; total, 18li. 6s. 6d.

†Inventory of the estate of Samuëll Haris of Beferley, taken 20 : 9 : 1682: hous and no land, 5li.; thre poringers, 2 platers, one bason, 3s.; thre Erthin dishis, woden dishes, 2s. 6d.; one sife, biles, on bottle, on gaige, 1s. 8d.; one line and hanke of twine and hoks, 4s.; 2 skilits, 3s.; flaks and yarne, 4s.; one Irone pot and on Citel and hake and pot hoks, 11s. 6d.; paier of tongs and

‡ Autograph.

John Newman, administrator of the estate of Antepas Newman of Wenham, deceased, presented an order from the General Court allowing him to sell real estate for the payment of debts, and upon testimony of Capt. John Corwin and Mr. Daniell Epps that it was necessary, court approved of the sale of land to Thomas Fisk.*

Upon motion made to this court by Mr. Timothy Lindall for explanation of the court order of Nov., 1681, concerning the appraisal of Robert Starr's part of house and land, court declared that they were to divide the estate of house and land as equally as possible into three parts. The house not being divisible, they were to make the portions equal by land.

John Beasely, Feb. 24, 1682-3, acknowledged judgment to Mr. Timothy Lindall in fish, before the Worshipful William Browne and Bartholmew Gedney, Esqrs.

The following administrations were granted by Worshipful William Browne and Bartholmew Gedney:

William Bennett of Manchester dying intestate, administration of his estate was granted Apr. 3, 1683, to Jane his widow, who was ordered to bring in an inventory to the next Salem court.

James Wale dying intestate, administration upon his estate was granted Jan. 11, 1682, to Samuel Tarbox, constable of Lynn, who was ordered to bring in an inventory† to the next Salem court.

a oulld gone, 4s.; Chist and Cobord, 6s.; tabell and mealle trofe, 6s.; other lomber, 2s.; ax, handsawe and 2 wedgs, 4s. 6d.; hors taklin and sled, 4s.; 2 books and on bage, 1s. 6d.; on hors Coullt, 15s.; thre pigs, 12s.; cabin Roge and bede, 4s.; total, 9li. 13s. 8d.

*Copy of the petition presented to the General Court in Boston, May 11, 1681, and the granting of the request, made by Edward Rawson,† secretary.

Capt. John Corwin and Mr. Daniell Epps, sr., affirmed that the sale was necessary, before Hilliard Veren,‡ cleric.

†Inventory of the estate of James Walls, taken by the selectmen of Lyn and the constable and appraised by Joseph Collins and John Moor, Jan. 10, 1682: A mare, 1li. 5s.; small Gun, 5s.; Ax, 2s.; pair of Stockens, 2s.; two old shirts, 1s.; a little powder & shott, a razor & an old bottle, 2s.; an old saddle and bridle, 7s.; total, 2li. 4s.

‡ Autograph.

Richard Harris dying intestate, administration upon his estate was granted, Apr. 18, 1683, to William Browne of Marblehead, who was ordered to bring in an inventory to the next Salem court.

Clement English dying intestate, administration upon his estate was granted May 5, 1683, to Mary English, his widow, who was ordered to bring in an inventory to the next Salem court.

Eleazer Gedney dying intestate, administration upon his estate was granted May 14, 1683, to Mary his widow, who was ordered to bring in an inventory to the next Salem court.

Edward Jefferyes dying intestate, administration upon his estate was granted May 30, 1683, to Andrew Elliott, sr., who was ordered to bring in an inventory to the next Salem court.

John Ayeres of Andever dying intestate, administration upon his estate was granted to his father John Ayres of Ipswich, who was ordered to bring in an inventory to the next Salem or Ipswich court.

Verdicts of the jury in the actions brought in this court.

Venire, dated Oct. 12, 1682, for Marblehead, signed by Hilliard Veren,* cleric, and served by Elias Hendley,* constable of Marblehead, who returned the name of John Walldron for the jury of trials.

Venire, dated Oct. 12, 1682, for Beverly, signed by Hilliard Veren,* cleric, and served by Joseph Dodge,* constable of Beverly, who returned the name of William Doodge, maulster, for the jury of trials, and Nathaniel Ston for the grand jury.

Venire, dated Oct. 10, 1682, for Gloucester, also summons to Ruth Duncan, for fornication, signed by Hilliard Veren,* cleric, and served by Antiny Benigh,* constable of Gloster, who returned that Ruth Duncan was sick and in the judgment of himself and the neighbors was unable to appear in court.

Samll. Tarbox and Nath. Farington, jr., constables of Lyn, returned, Nov. 28, 1682, the names of Ensign William Basset, Corporall Johnson, Thomas Ivorye and John Richards for the jury of trials, and Serjant Newhall, Samll. Cobbett, John Edmonds and John Peirson for the grand jury.

Venire, dated 10 : 8 : 1682, for Salem, signed by Hilliard Veren,* cleric, and returned by Jeremiah Rogers,* constable, who returned the names of Mr. Benj. Gerish, Mr. John Norman, Lt. John Putnam, Mr. Manases Marston, Mr. Del. Parkman,

* Autograph.

Mr. Ph. English and Mr. Joseph Grafton for the jury of trials, and Mr. Joseph Hardy, sr., Mr. Rob. Fuller, Mr. Joseph Phipeney, sr., Mr. Francis Skery, Lt. Nath. Felton and Mr. Wm. Dounton for the grand jury. "Mr Parkman was gon from home before I knew of it."

Execution, dated 1 : 10 : 1682, against William Chennick, to satisfy judgment granted Erasmus James, 28 : 9 : 1682, at Salem court, signed by Hilliard Veren,* cleric, and served by Robert Lord,* deputy for Henery Skerry,* marshal, who delivered Chennick to James for a three years' service.

Execution, dated Mar. 29, 1682, against Peeter Edgerton, to satisfy judgment granted Mr. Daniell Davison, 30 : 9 : 1680, signed by Hilliard Veren,* cleric, and served by Henery Skerry,* marshal of Salem.

Execution, dated Feb. 26, 1682-3, against John Beasy, to satisfy judgment granted Mr. Timothy Lindall by the Worshipful William Browne and Bartholmew Gedney, Feb. 24, 1682-3, signed by Hilliard Veren,* cleric, and served by John Williams,* deputy for Henery Skerry,* marshal of Salem.

Execution, dated June 7, 1682, against Mr. Richard Collecutt and Nathaniell Greenwood, executors and overseers of the will of Hester Seeres, to satisfy judgment granted John How, 29 : 9 : 1681, signed by Hilliard Veren,* cleric, and served by Willem Smith,* marshal's deputy.

Execution, dated 20 : 4 : 1682, against John Chaplen, to satisfy judgment granted Mr. Timothy Lindall, 19 : 4 : 1682, signed by Hilliard Veren,* cleric, and served by Henery Skerry,* marshal, who returned that Mr. Sweatland and Mr. Peytherck had delivered him to said Lindall for three years' service.

Execution, dated Aug. 4, 1682, against John Gannett, to satisfy judgment granted Edward Hoeman, Aug. 3, 1682, signed by Hilliard Veren,* cleric, and served by Elias Henley,* constable of Marvellhead, who delivered Gannat to Hoeman as his servant.

Execution, dated July 25, 1682, against John Lee, to satisfy judgment granted Mr. Samuella Gardner, jr., assignee of Mrs. Hannah Wells of Hartford, 27 : 4 : 1682, at Salem court, signed by Hilliard Veren,* cleric, and served by Henery Skerry,* marshal of Salem, who delivered him to Mr. Willson, prison keeper at Ipswich, but he was later set at liberty.

Execution, dated 7 : 6 : 1682, against John Yell and Benedict Pulcifer, to satisfy judgment granted Nathaniell Tredwell, 2 : 6 : 1682, at Salem court, signed by Hilliard Veren,* cleric, and served by Henery Skerry,* marshal, who delivered Yell to Henry Bennet as a servant for four years, and Pulcifer to Tredwell as a servant for three years.

* Autograph.

Execution, dated Dec. 7, 1682, against Isaac Reade, to satisfy judgment granted Andrew Tarvice, June 27, 1682, at Salem court, signed by Hilliard Veren,* cleric, and served by Henery Skerry,* marshal of Salem, said Reade agreeing to deliver 4 1-2 bushels of Indian corn to Tarvice, 2 cords of wood at Mason's house in the town, and 3s. worth of wood to the marshal.

Execution, dated July 1, 1682, against William Dutton, to satisfy judgment granted John Lambert, sr., June 27, 1682, at Salem court, signed by Hilliard Veren,* cleric, and served by Henery Skerry,* marshal, who also appointed Marshal Webbe of Boston, his deputy.

John Hale,* constable of Newbury, was informed, Sept. 25, 1682, by Jeams Noyes and Joseph Knit of Newbury that they found a dead man at Plum Island, and he warned a jury of inquest whose report he sent by his brother Thomas Hale to the Ipswich court.

Inquest, dated Sept. 26, 1682, upon the body of a man found dead at Plum Island, and return made by Caleb Moody,* Jams Ordway, sr.,* Edward Ritsten, sr., John March,* Thomas Rogers,* Benjamin Coker,* Israel Webster,* Laurence Hart,* Tho. Lowle,* John Mighall,* Henry Lunt* and Hugh March, jr.,* that "he was floating in the surfe of the sea; he was hauled up to high water Mark out of the tydes way; by Joseph Knight & James Noice: one the 25th of this Instant: wee went with the Constable and there wee mett with the two men that hauled him out of y^e sea as they telled us; and there wee saw the man: which seuerall of us also Indycut potter being there with us doe Conclude it was Andrew Newcomb of Boston how he came by his death: wee cannot determine whether hee was washed out of a vesell and drowned wee cannot saye wee fyndeing seuerall thousand of stauces Cast up on thee beech with other things Cast up; wee found the man Lying on his back with his Shirt and his Jacket ouer his head his Shirt Coller tyed fast about his neck his armes and his body bare to his waist his breechs & drawers & stockings & shoues tyded fast on and further searching of his body we found a place on the Left syde of his head swelled up as if hee had some great blow noe other wound or bruise in his body," etc. Sworn Sept. 29, 1682, before Robt. Pike,* assistant.

Inquest, dated Oct. 25, 1682, returned by Richard Norman, James Denniss, Tho. Hawkins, Geo. Oaks, Robt. Hooper, Jno. Chin, Wm. Buckley, Jno. Ashton, Vinsint Stilson, Edw. Howman, Wm. Woods and Edw. Humphries, "Concerninge a Dead man that was Drouen ashore of our side of Marblehead wee hearing or understanding of a seaman or one that was by firing a Gun a bord a ship in Salem Harbour blew ouer Bord

* Autograph.

about three weeks agoe hee being soe much Disfigered we Can-
not Giue any other Evidence But according to our Judgments
this might be the same man." Sworn Oct. 25, 1682, before
Moses Mavericke,* commissioner.

Inquest, dated Oct. 14, 1682, upon the death of John Cole
returned by Ensign William Buswell, Mr. Georg Goldwin,
Sargt. Henry True, Abra. Morell, Joseph Nortn, John Osgood,
Mr. John Stockman, Eph. Winsley, Philip Grely, Andrew
Grely, Moses Gill and Steevn Flanders, "we found him Lying
upon his back in the open marsh he had been wanting three
days before we found him in w^{ch} tim ther had ben 2 cold nights
his age was about 90 years by the wetnes of his clothes & other
signes we Judged that he had sliped in to a creek & gott out
againie his hate he had left upon a stump on the upland we saw
no wound about him so that all things considered according to
the best of our understanding we Judg that his death was
occasioned by the cold overcoming him." Sworn Oct. 30, 1682,
before Robt. Pike,* assistant.

Examination of several persons taken at Marblehead, Sept.
12, 1682, by the jury empannelled by constable Elias Hendly of
Marblehead upon the death of one Robert Phillipson, late
Seargeant of Pemmaquid, who came along in the sloop Susanna,
James Cooke, commander, "and died here suddenly as he came
ashoare befor he entered into any house in this towne:" James
Cooke, John Butler and Thomas Creach testified that Philipson
came aboard the sloop at Boston about two or three o'clock in
the morning and they knew of no difference with any one on
board neither did they see him eat or drink anything but a dram
out of the same bottle they drank from. Cooke and Creach
were with him when he died, "and being first taken w^t the mes-
senger of death as he came along the streets he cryed out I faint
and the Lord help me and died halfe a quarter of one hower
after." Richard Norman and James Dennis testified that they
saw no violence. The jury, Richard Knott,* Ambroas Gall,*
John Legg,* James Dennes,* John Peach,* Thomas Dixey,*
Edward Berry,* Thomas Smith,* John Curtis,* Elazer Ingls,*
William Hine* and Archbald Ferguson,* returned that he died
a natural death.

Fragment of an account. Jos. Barney, Jno. Steephens, and
Cor. Appleton mentioned. "my 1-4 pt. of 5-8 of ye ketch Hope-
well, 32li."

Debts due from John Chapman's estate since his death paid
by Frances Young: to John French, 6li. 13s. 8d.; Dockter
Briges, 10s.; Mister Wigellworth, 17s. 6d.; dockter Benit, in
corn, 1li. 12s. 6d.; Edward Deer, 2s.; Decon Goodhu, in corn
1li. 5s.; Nathanuell Chapman, 3li. 12s.; total, 14li. 12s. 8d.

* Autograph.

Dan. Ladd, sr., Thomas Whittier, George Browne, Robert Ford and Josiah Gage, selectmen of Haverhill, Nov. 26, 1682, approved of Sergt. John Jonson to keep a house of public entertainment for strangers.

John (his mark) Williams and William Hollis,* certified that about the middle of August, 1682, they were upon the watch in Salem and on the court of guard and that Edward Lewen had his bosom full of pears twice and Nathanill Churly his pocket full, also that Wm. Hollis carried home two or three of the pears to his wife, who said she knew they were Mr. Batter's pears because she used to wash at his house. They were presented for robbing orchards.

Original judgments given by the court.

Bond, dated Nov. 27, 1682, given by Elizabeth Rusel* to Nathaniel Walton and the rest of the tythingmen of Marblehead, "that the hogshead of Rum found by them in my cellar shall not be conveyed away, diminished or medled withall, but shall ly responsible to Authority untill I have an order from the sd Authority for the disposall of the same." Wit: Samll. Cheever.*

Petition, dated Nov. 28, 1682, of John Legg,* James Dennes* Richard Reith,* Richard Knott,* Thomas Pitman,* selectmen of Marblehead the past two years, who being "informed of the necessitous state of Mr Thomas Elbridges family left in the Towne with his eldest daughter Elizabeth, who had their dependance upon & subsistence by a liberty granted from the Countrey to sell by retaile Rum &c to the aboused Mr. Elbridge, wee did at y^t time give allowance to his sd daughter, and in her behalfe request the Court to give liberty to her till such time as her father should either come or take off the children from her, upon which she had a permitt or sufferance from the Court to doe the same provided she kept good orders; which to the best of our observation she hath accordingly done, and hath still two of the children with her."

Mr. Anthony Crosbe was buried Jan. 16, 1672. Copy from the records of Rowley, Nov. 27, 1682, by Thomas Leaver,* clerk of the writs and keeper of the records.

At a General Court at Boston, Oct. 11, 1682, Josiah Gage and Joseph Kingsbery of Haverhill, and Samuel Haseltine, Samuel Stickney, John Boynton, William Hutchins, Benjamin Kemball and Robert Haseltine of Bradford were made freemen. Attest, Edwd. Rawson,* secretary.

At a General Court, May 24, 1682, Joseph Farr and Jno. Farrington of Lynn were made freemen. Attest, Edward Rawson,* secretary. "Ben. Colens."

Petition to the General Court, dated Mar. 17, 1682, of

* Autograph.

Jonathan Wade,* "being an aduenturer and participant with the patentes and undertakers concerning this Colonie of the masachusetts, and for the carying on of the great ocasions thereof, was encited unto, and did lay down, in the yeare 1629 in January or february into the common stock 50li and into the Joint stock 10^{li} or more for which they pmised land here upon our ariual, and allso that there should be a deuision of the stock and fence at the end of seuen yeares. The abouesaid Jonathan Wade hauing found out land seuerall times, that was free from any former grant, and desired confirmation of it to him, he was denied, and the land hath bene giuen to others, and for the division of the stock to the aduenturers he canot understand of any deuision but certainly he neuer yet had any of said diuision, but others cary away the whole, so that he now begeth of this government, being long out of the use of his money that the money may be returned to him with due interest as is alowed unto others, upon borowing of money."

Thomas Carter, aged about twenty-five years, and Thomas Millford, aged about thirty-five years, testified that about Nov. 25, 1682, they went into the house of John Pedirick on the Neck at Marblehead and being also in the company of Richard Gurly, they bought and paid for cider there. Sworn Nov. 28, 1682, before Moses Mavericke,* commissioner.

Charges that Benjamin Jones laid out for his mother Mary Jones, lately deceased: for keeping & dieting of her 17 weeks at 3s. per week, 2li. 11s.; for attending upon her In her sickness, a nurse three weeks, 9s.; for a Coffin for her, In silver, 6s.; the Doctour, in silver, 2s. 6d.; digging of the grave, to the Sexton, 2s. 6d.; funerall charges, 8s. 4d.; Recording her death, 3d.; looking after her maire In her lifetime, 5 dayes, 10s.; total, 4li. 9s. 7d.

Old Goodman Jones, Dr. for rates to the Ministry, 1li. 4s. 9d.; widdow Jones, for the year 74, 4s. 4d.; widow Jones, for the year 76, 6s.

* Autograph

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